



# Hate Crime Statistics, 1990

## A Resource Book

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# **Hate Crime Statistics, 1990**

## **A Resource Book**

**Prepared under the  
Hate Crime Statistics Act of 1990  
for the  
Federal Bureau of Investigation**

**by**

**The Association of State  
Uniform Crime Reporting Programs**

**and**

**The Center for Applied Social Research  
Northeastern University**

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### **Background**

The 1990 Hate Crime Statistics Act (Public Law 101-275) states, "The Attorney General shall acquire data ... about crimes that manifest evidence of prejudice based on race, religion, sexual orientation, or ethnicity.... The Attorney General shall publish an annual summary of the data acquired under this section."

Developing a data collection strategy, drafting a collection instrument, and training those who will respond to the new procedures meant that the actual collection of national data could not take place before the end of 1990. This report includes only states that collected hate crime data under state authority during 1990 and that were willing to participate. Because each state had developed its own data collection strategy, the 1990 figures are not comparable, one state with another.

### **Development of a national strategy for collection of hate crime data**

The Uniform Crime Reporting (UCR) Program of the FBI has guided the development and implementation of the national hate crime data collection strategy. In August 1990, the FBI convened a group of national experts experienced in the issues surrounding hate crimes and crime data collection. This group endorsed the basic plan presented by the FBI and suggested additional data elements and acquisition strategies. A major effort of all participants was to identify existing incentives for local law enforcement authorities to participate. The experts recommended a training program that discussed the positive experience of contributing to the collection program.

### **Guides for training and reporting**

Following the meeting of expert advisors, the UCR program staff developed a two-volume training and data collection guide. These guides were written with input from a variety of organizations. The *Training Guide for Hate Crime*

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*Data Collection* is intended to assist law enforcement agencies in the task of establishing a hate crime training program for their personnel.\* The program offers three different learning modules: the social psychology of prejudice, the definitions of bias-motivated crimes and procedures to report them, and case studies with an overview of the issues of hate-motivated violence. *Hate Crime Data Collection Guidelines* describes the legislative mandate and the procedures for collecting data and submitting them to the FBI.

## **Training**

The FBI sponsored a series of sessions to familiarize local law enforcement agencies with the effort to collect hate crime data. Regional conferences were held in Boston, Chicago, Austin, Denver, and Washington, D.C. These conferences presented the details of this new data collection effort to the directors of the state crime reporting units or to representatives from states without crime reporting agencies. (The crime reporting units are the agencies designated in each state as primarily responsible for the collection and analysis of information on crime.) A second series of regional conferences was targeted at 315 cities, including the largest cities in America. The FBI and the Community Relations Service of the Department of Justice sponsored this training.

## **Development of this report**

The information in this report reflects data collection efforts in 11 states, primarily in the Northeast and Middle Atlantic regions. Nine states began collection during 1988 or 1989. Pennsylvania has been collecting data since 1986, and Maryland, since 1981. Much of the data, therefore, reflect new, relatively untested collection efforts. Experience in other data collection programs has shown that data reliability increases after agencies and their personnel have time to learn the special definitions and procedures and after information about the program circulates at the local level.

\*FBI, *Training Guide for Hate Crime Data Collection* (1991) p. 1.

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The 11 states included are Connecticut, Florida, Maryland, Massachusetts, Minnesota, New Jersey, New York, Oregon, Pennsylvania, Rhode Island, and Virginia. These states were collecting hate crime data in 1990 and expressed an interest in participating in this project. Each chapter includes three sections: a summary of each state's hate crime data collection history and current collection procedures, a summary of each state's legislation authorizing the collection of hate crime data, and tabulations of each state's 1990 hate crime statistics.

## **Limitations of the data**

### ***Identified groups***

The format of this resource book represents the variability of the data categories among the reporting states. Each state had responded to its own needs and statutory requirements; therefore, a data collection instrument in one state is not necessarily comparable to that of another state. The groups covered by hate crime statutes often differed. In 1990, crimes motivated by hatred for an individual's sexual orientation were not covered by statutes in Florida, Maryland, Pennsylvania, Rhode Island, and Virginia but were covered in Connecticut, Massachusetts, Minnesota, New Jersey, New York, and Oregon. Moreover, Oregon's hate crime statute covered crimes committed against individuals based on marital status, political affiliation, and membership in a labor union.

### ***Reporting procedures***

Varied reporting procedures also restrict data comparability. The authorizing legislation in some states mandates that local police agencies provide information, while in other states participation in the reporting program is voluntary. Thus, some states gain more complete reporting than others. In addition, some states require zero reporting by jurisdictions that have no hate crime for a specified period. Zero reporting will allow a valid assessment of participation levels and increase the ability to interpret the reported rates.

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### ***Range of variables***

Variables and details of measurement differed among states, because each state developed its unique data collection instrument. Appendix A includes a table which indicates the variables available by state.

### ***Data reported to police***

These data include only those hate crimes reported to the police. Since, for a variety of reasons, hate crime victims may not report their victimization to the local law enforcement authorities, this resource book presents only a conservative measure of hate crimes that occurred in the reporting states.

### **General observations about the collected data**

In most states, a statute authorized the collection of hate crime data. Generally, the state legislature passed a new statute which called for the collection of information and preparation of a report concerning criminal acts motivated by bias or bigotry. In New Jersey and New York, executive orders authorized the hate crime data collection effort.

In all participating states, the enabling authority identified the executive branch as the administrative agency responsible for the data collection program. The executive branch then assigned the responsibility for developing and implementing the program to the state's crime reporting agency or the state police.

Few additional resources were allocated to the collection of hate crime data. In no state were additional staff added to facilitate or coordinate the collection of this data. In a few states, funds were provided in the authorization for printing forms, and in Massachusetts and Minnesota, funds were provided for training. In both New York and Maryland, one full-time staff person oversees data collection, but these personnel were transferred from other duties to the hate crime projects.

Most states realized the necessity for training local law enforcement officials during the initial implementation of their hate crime data collection effort. Most of these initial sessions were well attended and state officials viewed them

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as effective. Subsequently, many states have included hate crime reporting as part of their in-service UCR training programs. Officials cited the frequent turnover of local officers responsible for completing crime reports as a significant problem if ongoing training is not available. A number of state agencies, including those in Massachusetts and Minnesota, enlist the assistance of local advocacy groups in providing this training.

Eight of the 11 states in this report release their hate crime data annually either as a special report (Connecticut, Florida, Maryland, Massachusetts, and Oregon) or as part of their annual UCR summary (Minnesota, New Jersey, and Virginia). To date, New York has released one bias crime report which includes data for 1988 through 1991. Pennsylvania and Rhode Island have not yet released statewide hate crime reports.

Most state officials responsible for crime reporting expressed concern about the lack of resources available to local agencies interested in or trying to implement hate crime efforts.

### **General conclusions**

*The limitations discussed make inappropriate any attempt to compare specific findings across states.* However, in a summary of the most consistent findings from the participating states, some general characteristics of hate crime emerge.

### ***Bias motivation***

In every state with data on specific types of bias motivation, the most frequent motivation for hate crimes reported to the police were racial differences. These include crimes directed at blacks, whites, or Asians motivated entirely or in part by the victims' race. The second most common motivation for hate crimes was religious differences, primarily anti-Semitic crimes.

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### ***Criminal offense***

Three categories of offenses are most commonly associated with hate crimes: (1) assault; (2) threats, harassment, and intimidation; and (3) property damage or criminal mischief.

### ***Hate crime location***

In the five states that collected location data, most hate crimes occurred at the residence of the victim. The second most common location was public highways or roadways.

### ***Type of victim***

The vast majority of crimes were reported against an individual or his/her residence. Few hate crimes were reported against businesses, public property, or the property of religious organizations.

### ***Race and sex of offenders***

In each state which collected the race of the offender, the majority of offenders were white; black offenders, the second most common. Few reported hate crimes were committed by Hispanics or Asians. The vast majority of hate crime offenders were males.

### ***Race of victim***

In four of the six states that collected information on the race of hate crime victims, the majority of victims were white. This is likely due to the majority representation of whites as victims of crimes motivated by religious bigotry. If victimization rates based on representation in the general population were considered, blacks would be heavily overrepresented among victims of hate crimes.



## State chapters

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In each chapter, the data are presented in the tables in the same order. Tables were omitted where no data were available. The number of cases is not the same in every table in a particular state, because the unit of analysis is different. For example, some tables reflect the number of hate crime offenses, while others reflect the number of hate crime offenders, while still others reflect the number of hate crime victims. To clarify this, the unit of analysis is specified in the title of each table.

Additionally, there appear to be differing levels of precision with which the data were reported by these states. In some tabulations, selected states allowed for only a single victim, offense, and offender for each incident. Further, several states reported the sex and race of the victim even when the targeted victim was private property. Finally, many states did not distinguish among data that were missing, unknown, or not applicable.

In any discrepancy between the data generated for this report and the data previously published in a state report, the state report was used as the most reliable estimate. Additionally, the legislative summaries included in each state chapter reflect the status of legislation at the time of the data collection. Any subsequent revisions or challenges to these hate crime statutes are not reflected in this report.

### Background of hate crime data collection

#### *Authorization*

The authorization for hate crime collection in Connecticut was first passed by the state legislature as Public Act 87-279, effective July 1, 1988. This Act was later codified as law in the form of Connecticut General Statute 29-7M, which assigns responsibility to the Connecticut State Police to "monitor, record, and classify" hate crime activity. The law itself does not define the elements of a hate crime nor does it require local police departments to report hate crime data to the state police. In February of 1989, the state issued its first statewide report, *Racial, Religion, Ethnic, and Sexual Orientation Crimes Annual Report, 1989*. This report covered the period from July 1, 1988, to December 31, 1988.

#### *Staffing*

Currently the state police is responsible for all aspects of Connecticut's hate crime data collection. At the beginning of the program, funds were set aside for startup training. Apart from that initial funding, no additional funds have been budgeted for hate crime data collection. Any costs are absorbed as part of normal business. Reporting is done on a specialized code form developed by the Connecticut State Police.

A major area of concern currently facing the Connecticut State Police is the level of participation by the local police departments. Of the approximately 100 police departments, including university police departments, that report crime data to the Connecticut State Police, 31 reported some type of hate crime in 1990. Connecticut does not have zero reporting.

#### *Training*

An initial statewide training session was held in June 1988 with representatives from approximately half of the state's police agencies. The training curriculum

## Connecticut

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included discussions on the following topics: the indicators involved in determining the presence of hate crimes, the nature of hate crimes, case studies of actual hate crimes for illustrative purposes, an explanation of the state law governing hate crimes, and a section on the hate crime reporting form and the actual reporting process.

### *Release*

The Connecticut State Police releases a summary hate crime report near the end of February each year. Prior to the issuance of this report information is released to any group or organization, including the media. Copies of the yearly report are distributed to every police department in the state, and upon request, to media outlets after the report is released.

### *Future developments*

To better comply with recent Federal legislation concerning hate crime data collection, the Connecticut State Police is considering switching from its current hate crime data collection instrument to the FBI form. As with the current form, local police departments would fill out the new instrument and mail it directly to the Connecticut State Police.

### **Legislative summary**

**(1) C.G.S. Sec. 29-7m. Record and classification of crimes motivated by bigotry and bias.**

This statute empowered the Connecticut State Police to "monitor, record, and classify" all crimes motivated by bigotry and bias beginning on July 1, 1988.

**(2) C.G.S. Sec. 46a-58. Deprivation of rights. Desecration of property. Cross burning. Penalty.**

This statute prohibits the deprivation of a person's constitutional and legal rights based upon his or her "religion, national origin, alienage, color, race, sex, blindness, or physical disability." Furthermore, this statute expressly forbids the desecration of any public property, religious object, house of worship, cemetery, or privately owned structure. Finally, the burning of a cross, either on public land or private property (without the written consent of the owner), is prohibited by this statute. Violation of this statute is considered a misdemeanor if damages total less than \$1,000; if damages exceed \$1,000, violation of this statute is considered a felony and is punishable by 1 to 5 years imprisonment and/or a \$5,000 fine.

**(3) C.G.S. Sec. 53-37a. Deprivation of a person's civil rights by person wearing mask or hood: Class D felony.**

Persons who intentionally deprive others of their constitutional or legal rights based upon their "religion, national origin, alienage, color, race, sex, blindness, or physical disability" while wearing masks, hoods, or other devices designed to conceal their identity are guilty of a class D felony and are subject to 1 to 5 years in prison and/or a \$5,000 fine.

# Connecticut

## Characteristics of hate crimes, 1990

**Table 1.1. Offense**

	Number of incidents	Percent
Total <sup>a</sup>	69	99.8
Robbery	2	2.9
Assault	13	18.8
Arson	1	1.4
Criminal mischief	25	36.2
Threats	5	7.2
Other	23	33.3

<sup>a</sup>The sum of the percentages does not equal 100% because of rounding.

**Table 1.3. Bias motivation**

	Number of incidents	Percent
Total	69	100.0
Racial	41	59.4
Ethnicity/ national origin	2	2.9
Religious	16	23.2
Sexual orientation	10	14.5

**Table 1.2. Location of incidents**

	Number of incidents	Percent
Total <sup>a</sup>	69	99.9
Church/synagogue/ temple	4	5.8
Commercial/ office building	13	18.8
Highway/road/ alley/street	12	17.4
Parking lot	8	11.6
Residence/home	16	23.2
School/college	12	17.4
Motor vehicle	1	1.4
Other	3	4.3

<sup>a</sup>The sum of the percentages does not equal 100% because of rounding.

**Table 1.4. Race of offender**

	Number of incidents	Percent
Total	69	100.0
White	22	31.9
Black	6	8.7
Unknown	13	18.8
Not reported <sup>a</sup>	28	40.6

<sup>a</sup>Connecticut officials obtained information on offender race only when the bias motivation was racial.

Table 1.5. Race of victim

	Number of incidents	Percent
Total <sup>a</sup>	69	99.8
White	5	7.2
Black	31	44.9
Hispanic	1	1.4
Asian	3	4.3
Othe	1	1.4
Not reported <sup>b</sup>	28	40.6

<sup>a</sup>The sum of the percentages does not equal 100% because of rounding.

<sup>b</sup>Connecticut officials obtained information on victim race only when the bias motivation was racial.

Table 1.6. Type of weapon

	Number of incidents	Percent
Total <sup>a</sup>	69	99.9
None	51	73.9
Knife	2	2.9
Hands/fists/feet	11	15.9
Other	5	7.2

<sup>a</sup>The sum of the percentages does not equal 100% because of rounding.

Table 1.7. Extent of damage or injury

	Number of incidents	Percent
Total	69	100.0
Personal injury/ treatment	10	14.5
Personal injury/ no treatment	6	8.7
Personal/no injury	30	43.5
Property deface	21	30.4
Property damage	2	2.9

### Background of hate crime data collection

#### *Authorization*

The authorization for hate crime data collection in Florida was passed by the state Legislature under § 877.19, F.S., effective in 1989. This statute mandates the Florida Department of Law Enforcement (FDLE) to collect and distribute data on incidents of criminal acts that are motivated by prejudice based on "race, religion, ethnicity, color, ancestry, or national origin." The Florida attorney general is required to publish an annual statewide report based on the data collected by the FDLE. This publication is entitled *Hate Crimes in Florida*.

#### *Staffing*

The FDLE collects and distributes data on incidents of bias crime. Because the volume of data received is fairly low, responsibility for this function is added to the routine duties of a staff member in the UCR section. Since the hate crime program is nonautomated, analysis and computation of the data are done manually.

Florida has 378 law enforcement agencies that can report incidents of hate crimes occurring in their jurisdictions. During 1990, 80 of these agencies reported such incidents. Florida's hate crime program is incident-based as is its UCR program. In the hate crime program, only one offense is reported per incident, using an established hierarchy. There is no zero reporting system for agencies having no hate crimes in a given month. Agencies use FDLE forms that meet Florida's statutory requirements and that incorporate the majority of the FBI data elements.

#### *Training*

Every Florida law enforcement agency was invited to attend regional training classes before the hate crime program went into effect. Since that time, classes

## Florida

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have been offered every 6 months when UCR training is scheduled. The FDLE has provided training to individual agencies upon request. The FBI also held a training course in Florida for law enforcement agencies.

### *Release*

The attorney general is required by § 877.19, F.S., to publish and release an annual statistical analysis of the hate crime data reported. These data are public record and are made available upon request. The first report of *Hate Crimes in Florida* included incidents which occurred from October through December of 1989. The 1990 report represents the first complete year of data collection. The FDLE mails semiannual reports to agencies to verify the number of hate crimes reported to date.

### *Future developments*

Because of the low volume of data submitted, Florida has not automated its hate crime program; however, data automation at the state level is being considered. During the 1991 legislative session, sexual orientation was added to the list of hate crime motivations, effective October 1991.

### **Legislative summary**

#### **§ 877.19. Hate Crimes Reporting Act.**

The Governor, through the FDLE, is mandated by this law to collect and distribute data on incidents of criminal acts that are motivated by prejudice based on "race, religion, ethnicity, color, ancestry, or national origin." All law enforcement agencies in Florida are required to submit monthly reports to the FDLE concerning hate crimes that have occurred. The information compiled by the department is distributed upon request to any local law enforcement agency, unit of local government, or state agency. This information is used only for research and statistical purposes and does not include any information that may reveal the identity of an individual victim. The attorney general publishes an annual summary entitled *Hate Crimes in Florida*.



## Characteristics of hate crimes, 1990

Table 2.1. Offense

	Number of offenses	Percent
Total <sup>a</sup>	306	100.0
Murder	2	.7
Sex offense	3	1.0
Robbery	4	1.3
Aggravated assault	102	33.3
Burglary	4	1.3
Larceny/theft	3	1.0
Arson	2	.7
Simple assault	50	16.3
Intimidation	50	16.3
Destruction/damage/vandalism	85	27.8
Other	1	.3

<sup>a</sup>Florida counts crimes against the person per victim, not per incident. Therefore, Florida had 258 incidents of hate crimes but 306 total offenses.

Table 2.3. Bias motivation

	Number of offenses <sup>a</sup>	Percent
Total <sup>b</sup>	306	100.2
Racial	220	71.9
Ethnicity/national origin	28	9.3
Religious	58	19.0

<sup>a</sup>Florida counts bias motivation by offense.

<sup>b</sup>The sum of the percentages does not equal 100% because of rounding.

Table 2.2. Location of incidents

	Number of incidents	Percent
Total <sup>a</sup>	258	100.2
Bar/nightclub	10	3.9
Church/synagogue/temple	14	5.4
Commercial/office building	12	4.7
Construction site	2	.8
Convenience store	5	1.9
Field/woods	4	1.6
Government/public building	3	1.2
Highway/roadway	55	21.3
Hotel/motel	1	.4
Jail/prison	3	1.2
Liquor store	1	.4
Parking lot/garage	18	7.0
Residence/home	83	32.2
School/college	20	7.8
Service/gas station	1	.4
Specialty store	5	1.9
Industrial/manufacturing	1	.4
Other structure	5	1.9
Motor vehicle	7	2.7
Other	8	3.1

<sup>a</sup>The sum of the percentages does not equal 100% because of rounding.

## Florida

**Table 2.4. Type of victim**

	Number of offenses*	Percent
Total	306	100.0
Individual	260	85.0
Business	14	4.6
Religious facility	13	4.2
Organization	13	4.2
Other	6	2.0

\*Florida counts type of victim by offense.

**Table 2.6. Race of targeted victim**

	Number of victims	Percent
Total*	306	100.0
White	153	50.0
Black	122	39.9
Asian	4	1.3
Not applicable/ unknown	27	8.8

\*Includes persons of all motivation.

**Table 2.8. Sex of targeted victim**

	Number of victims	Percent
Total*	306	99.9
Female	46	15.0
Male	184	60.1
Not applicable/ unknown	76	24.8

\*Because of rounding, the percentage total may not equal 100%.

**Table 2.5. Race of offender**

	Number of offenders	Percent
Total*	363	100.0
White	133	36.6
Black	123	33.9
Unknown	107	29.5

\*Includes multiple offenders.

**Table 2.7. Sex of offender**

	Number of offenders	Percent
Total*	363	99.9
Female	19	5.2
Male	235	64.7
Unknown	109	30.0

\*The sum of the percentages does not equal 100% because of rounding. The total includes multiple offenders.

**Table 2.9. Type of weapon**

	Number of incidents	Percent
Total	258	100.0
Firearm	32	12.4
Knife	11	4.3
Blunt object	29	11.2
Hands/fists/feet	42	16.3
Fire/incendiary	2	.8
Threat/intimidation	42	16.3
Other	15	5.8
No weapon	85	32.9

**Table 2.10. Extent of injury**

	Number of offenses	Percent
Total	306	100.0
Fatal	2	.7
Serious	15	4.9
Minor	50	16.3
None/ not applicable	239	78.1

**Table 2.11. Victim/offender relationship**

	Number of offenses	Percent
Total	306	100.0
Victim knew offender	40	13.1
Strangers	149	48.7
Unknown	62	20.2
Not applicable	55	18.0

**Table 2.12. Organized hate group**

	Number of offenses	Percent
Total	258	100.0
Individual	74	28.7
Group member	54	20.9
Unknown	130	50.4



### Background of hate crime data collection

#### *Authorization*

On July 1, 1981, Article 88b, Section 9(B) (1) of Maryland State Law assigned the Maryland State Police the responsibility of collecting and analyzing information related to incidents of bias crime. On July 1, 1989, this law was amended to require Maryland State Police to adopt standardized procedures for collecting information on crimes against racial, religious, or national origin. The state UCR agency is authorized to collect this information. The UCR is part of the Central Records Division of the Maryland State Police. The Criminal Intelligence Division is the information releasing entity of the Maryland State Police.

#### *Staffing*

The state's UCR unit has devoted the equivalent of one full-time staff member for the collection of hate crime data. The state police Intelligence Division is responsible for the analysis and interpretation of religious, racial, and ethnic crime data. There are 131 law enforcement agencies in Maryland. It is mandatory for all of these agencies to report any incidence of bias crime to the state police. If a department does not encounter any incidence of bias crime within a month, it is required to report that no bias crime incidents occurred within that period. The Maryland State Police works with the State Human Relations Commission on various aspects of analyzing and interpreting bias crime data, as well as the training necessary to obtain data.

#### *Training*

Each police officer is required to take a mandatory 17 hours of inservice training each year. As part of this inservice training, members of each police agency receive a minimum of 2 hours in the investigation of religious, racial and ethnic incidents. The UCR unit provides special training to police supervisors and executives on UCR and the reporting of bias crime incidents. All Maryland law enforcement officers are given "Procedures for the Collection

## Maryland

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and Analysis of Information Against Racial, Religious or Ethnic Groups." This report includes Maryland's bias law, definitions of bias crimes, criteria for identifying racial, religious, or ethnic incidents, and a framework of what type of incidents should be reported to the Maryland State Police. In addition, the report gives officers an instructional guide to Maryland's Monthly Supplementary Report of Racial, Religious and Ethnic Incidents that must be filled out by each police agency.

### *Release*

On July 12, 1991, the Criminal Intelligence Division of the Maryland State Police released the "Racial, Religious and Ethnic Incident Assessment of 1990." This was a more comprehensive report than previous division reports because 1990 was the first year that new standardized collection procedures were used. This publication was released to various police agencies, state officials, and state lawmakers. The public can obtain this annual publication by request.

### *Future developments*

Although Maryland uses summary-based reporting for the UCR, an incident-level supplementary report is used for hate crime incidents. Maryland's religious, racial, and ethnic crimes reporting form is different from the FBI form, as it collects additional crime and offender characteristics. Maryland transfers information from its form to the FBI form before submission to the FBI. In 1991, Maryland will have a bias incident reporting law which will include sexual orientation.

### **Legislative summary**

#### **(1) Article 88b § 9(a)(b)(1)(2)(3)**

This legislation, which became effective July 1, 1981, assigned the Maryland State Police the responsibility of collecting and analyzing information relating to incidents apparently directed against racial, religious, or ethnic groups in Maryland. Effective July 1, 1989, the law was amended to require the

Maryland State Police to adopt standardized procedures for collecting such information. Each law enforcement agency and the state fire marshal are required to provide the state police department with any information related to incidents of bias crime.

**(2) Article 88 § 10**

The state police department is required to make monthly reports to the state Human Relations Commission based on its collection of bias crime data.

**(3) Article 27 § 470 A. Crimes against religious property or persons or property because of race, religious beliefs, etc.**

This statute provides definitions which form a legal framework that police and courts can follow. In this section the phrase "religious real property" includes churches, synagogues, cemeteries, religious schools, or any other real property used for any religious purpose, as well as grounds adjacent to the property.

This statute prohibits the effective or attempted defacement, damage, destruction of real or personal property based upon a person's color, religious belief, or national origin. This statute also makes it unlawful to obstruct or attempt to obstruct any person's exercise of his/her religious beliefs.

Persons convicted in Maryland of committing crimes against persons or property to express hatred of others' religion or ethnicity can be sentenced to fines or incarceration. Offenders convicted of a felony may be imprisoned for not more than 10 years or be assessed a fine of not more than \$10,000 or both. Misdemeanants are subject to imprisonment of not more than 3 years or a fine of not more than \$5,000 or both. Prosecutions can be made for violations of other criminal statutes in addition to the violations of the Maryland religious and ethnic crime statute, with the possibility of a separate sentence imposed for every conviction.

# Maryland

## Characteristics of hate crimes, 1990

**Table 3.1. Offense**

	Number of offenses	Percent
Total	792	100.0
Assault	225	28.4
Arson	3	.4
Destruction/damage/ vandalism	188	23.7
Cross burnings	12	1.5
Threats	99	12.5
Other	265	33.5

**Table 3.3. Race of known offenders**

	Number of offenders	Percent
Total <sup>a</sup>	1,533	100.0
White	784	51.1
Black	703	45.9
Asian	43	2.8
Hispanic	3	.2

<sup>a</sup>Includes multiple offenders.

**Table 3.5. Sex of known offenders**

	Number of offenders	Percent
Total <sup>a</sup>	1,533	100.0
Female	183	11.9
Male	1,350	88.1

<sup>a</sup>Includes multiple offenders.

**Table 3.2. Bias motivation**

	Number of incidents	Percent
Total	792	100.0
Racial	618	78.0
Ethnicity/ national origin	50	6.3
Religious	124	15.7

**Table 3.4. Race of known victims**

	Number of victims	Percent
Total <sup>a</sup>	1,176	100.0
White	578	49.1
Black	525	44.6
Indian	9	.8
Asian	35	3.0
Hispanic	21	1.8
Unknown	8	.7

<sup>a</sup>Includes multiple victims.

**Table 3.6. Sex of known victims**

	Number of victims	Percent
Total <sup>a</sup>	1,176	100.0
Female	404	34.4
Male	743	63.2
Unknown	29	2.4

<sup>a</sup>Includes multiple victims.



### **Background of hate crime data collection**

#### ***Authorization***

The Massachusetts Criminal History Systems Board, which collects UCR data for the Commonwealth, began collecting hate crime data in January 1990. The data consist of information from police regarding hate crimes and information from human rights organizations regarding hate incidents (an incident in Massachusetts is an event which is not considered to be a crime). Prior to this data collection effort, the Criminal History Systems Board met with police chiefs from throughout the state to discuss the proposed program. These meetings are considered an important phase in the development of Massachusetts' hate crime data collection program.

Authorization for hate crime data collection was passed and codified as law by the state legislature on December 29, 1990, as sections 16, 17, 18, and 19 of Chapter 22 of the Massachusetts General Laws. Section 16 assigns responsibility for collection, analysis, and interpretation of hate crime data to the newly created "Crime Reporting Unit" of the Criminal History Systems Board. Section 16 also defines "hate crime" and "hate crime data" for reporting and analysis purposes. Under section 18, the Crime Reporting Unit is required to submit an annual report of hate crime data to the governor, attorney general, and state legislature.

#### ***Staffing***

Currently, the director of the Criminal History Systems Board is responsible for collecting and reporting hate crime data in Massachusetts. Analysis of hate crime data is provided by the Center for Applied Social Research at Northeastern University. Collecting the data and producing the annual report cost approximately \$5,000 per year. Although the Criminal History Systems Board does not receive any separately identifiable financial support from public or private sources for its data collection program, it does receive support from several advocacy groups. The state of Massachusetts has 250 police agencies;

## Massachusetts

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an estimated 30 agencies report hate crime data in an incident-based system. Massachusetts does not require zero reporting.

### *Training*

Each year the Crime Reporting Unit conducts approximately six regional training workshops for those police officials responsible for the reporting of hate crime data. This training focuses on the proper methods of collecting, recording, and reporting hate crime data to the Crime Reporting Unit. Since 1991, the Massachusetts Criminal Justice Training Council is required by legislation to conduct training for police officers in identifying and investigating hate crimes.

### *Release*

Under the authority of the Department of Public Safety and the Criminal History Systems Board, the Crime Reporting Unit produces an annual report of hate crime data. This report is submitted to the governor, the attorney general, and the state legislature. After it is released to these officials, it becomes public record.

### *Future developments*

The Crime Reporting Unit is concerned about the level of participation in hate crime reporting by local police agencies within Massachusetts, because normally only about 30 police agencies out of 250 report hate crime data. Since Massachusetts does not require zero reporting, estimation of the extent of participation is difficult.

### **Legislative summary**

**(1) M.G.L. Chapter 6, § 116B. Hate crime training for police to be conducted by the Massachusetts Criminal Justice Training Council (CJTC).**

This statute calls for the Massachusetts Criminal Justice Training Council to provide training to police officers in identifying, responding to and reporting all incidents of hate crime, as defined in Chapter 22, § 16. Such training is included in all CJTC curricula for recruits and inservice trainees and in all academies operated or certified by the CJTC.

**(2) M.G.L. Chapter 22, § 16. Definition of words and phrases related to hate crime.**

"Crime Reporting Unit" is defined as a joint project of the Department of Public Safety and the Criminal History Systems Board responsible for collecting incident reports from all law enforcement authorities within the Commonwealth and disseminating periodic reports which analyze and interpret crime rates and trends.

Hate crime is defined as "any criminal act coupled with overt actions motivated by bigotry and bias including, but not limited to, a threatened, attempted, or completed overt act motivated at least in part, by racial, religious, ethnic, handicap, or sexual orientation prejudice, or which deprives another person of his/her constitutional rights by threats, intimidation, or coercion, or which seeks to interfere with or disrupt a person's exercise of constitutional rights through harassment or intimidation." Hate crime also includes, but is not limited to, acts that constitute violations of Chapter 265, § 37 & 39, Chapter 266, § 127A, and Chapter 272.

"Hate Crime Data" is defined as any information, incident reports, records, and statistics collected by the Crime Reporting Unit which relate to hate crimes.

## **Massachusetts**

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"Incident Report" is any account of a hate crime occurrence, received and/or collected by the Crime Reporting Unit.

**(3) M.G.L. Chapter 22, § 17. Regulations for collection of hate crime data, adhered to by the Crime Reporting Unit.**

(A) A central repository has been established for the collection and analysis of hate crime data. The Crime Reporting Unit is responsible for collecting, classifying, analyzing, and reporting these data which are retained in the central repository.

(B) Procedures necessary to ensure effective data-gathering, the preservation and protection of confidential information, and the disclosures of information in accordance with § 19.

(C) Procedures for the solicitation and acceptance of hate crime reports that are submitted to the crime reporting unit.

(D) Procedures for assessing the credibility and accuracy of reports of hate crime from law enforcement agencies.

**(4) M.G.L. Chapter 22, § 18. Filing annual reports regarding hate crime data.**

The Crime Reporting Unit summarizes and analyzes all hate crime data it receives. This information is submitted to the attorney general. The Crime Reporting Unit also files annual reports with the governor, the attorney general, the Joint Committees on Public Safety, Criminal Justice and the Judiciary, and the Senate and House Committees on Ways and Means of the Massachusetts General Court. These reports are public record.

**(5) M.G.L. Chapter 22, § 19. Dissemination of hate crime information.**

All hate crime data collected by the Crime Reporting Unit are available for use by any law enforcement agency. These data are also available to any unit of local government, to any state agency, and to the general public in a manner consistent with the requirements of Chapter 6, § 167 and § 168. Dissemination of this information is subject to all confidentiality requirements imposed by the law.

## Massachusetts

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### Characteristics of hate crimes, 1990<sup>1</sup>

Table 4.1. Offense

	Number of incidents	Percent
Total <sup>a</sup>	348	99.9
Aggravated assault	107	30.7
Simple assault	54	15.5
Destruction/ damage/vandalism	86	24.7
Harassment	40	11.5
Threats	26	7.5
Arson	6	1.7
Larceny/theft	4	1.1
Other	25	7.2

<sup>a</sup>The sum of the percentages does not equal 100% because of rounding.

Table 4.3. Type of victim

	Number of incidents	Percent
Total	348	100.0
Person	223	64.1
Private property	69	19.8
Public property	10	2.9
Unknown	41	11.8
Not indicated	5	1.4

Table 4.2. Bias motivation

	Number of incidents	Percent
Total	348	100.0
Racial	222	63.8
Ethnicity/ national origin	47	13.5
Religious	39	11.2
Sexual orientation	34	9.8
Handicap	6	1.7

Table 4.4. Race of offender

	Number of offenders	Percent
Total <sup>a</sup>	348	99.9
White	151	43.4
Black	72	20.7
Hispanic	12	3.4
Asian	4	1.1
Other	2	.6
Unknown	107	30.7

<sup>a</sup>The sum of the percentages does not equal 100% because of rounding.

<sup>1</sup>Massachusetts data include only one victim, offense, and offender per incident.

**Table 4.5. Race of victim**

	Number of victims	Percent
Total	348	100.0
White	130	37.3
Black	89	25.6
Hispanic	38	10.9
Asian	48	13.8
Other	2	.6
Unknown/ not applicable	41	11.8

**Table 4.6. Sex of offender**

	Number of offenders	Percent
Total	348	100.0
Female	23	6.6
Male	209	60.1
Unknown/ not applicable	116	33.3

**Table 4.7. Sex of victim**

	Number of victims	Percent
Total	348	100.0
Female	80	23.0
Male	208	59.8
Unknown/ not applicable	60	17.2

**Table 4.8. Type of weapon**

	Number of incidents	Percent
Total	348	100.0
None	77	22.1
Firearm	18	5.2
Knife	31	8.9
Blunt object	43	12.4
Hands/fists/feet	71	20.4
Rocks/bricks	22	6.3
Other	55	15.8
Unknown	31	8.9

**Table 4.9. Extent of injury**

	Number of incidents	Percent
Total	348	100.0
None	154	44.2
Apparent broken bones	3	.9
Possible internal injuries	1	.3
Severe lacerations	9	2.6
Other major injury	3	.9
Other minor injury	37	10.6
Unknown	141	40.5

**Table 4.10. Organized hate group**

	Number of offenses	Percent
Total	348	100.0
Yes	8	2.3
No	299	85.9
Unknown	41	11.8





### Background of hate crime data collection

#### *Authorization*

The authorization for hate crime data collection and training in Minnesota was first passed by the state legislature as Act H.F. 2340, effective August 1, 1988. This act was later codified as law in the form of Minnesota Statutes Chapter 626. Chapter 626 assigns responsibility for collecting, reporting, and training to the Department of Public Safety, Bureau of Criminal Apprehension, and the Board of Peace Officer Standards and Training. Various subdivisions of Sections 626.5531 and 626.8451 of Chapter 626 define bias-motivated crimes, mandate reporting by peace officers, assign responsibility for collecting and analyzing information, and outline training for peace officers in identifying and responding to crimes motivated by bias. The Commissioner of Public Safety files an annual report with the Department of Human Rights and the state legislature.

#### *Staffing*

Currently, the Department of Public Safety assigns one person, on a part-time basis, the responsibility for collecting and summarizing hate crime information. The Department of Public Safety has not received any additional financial support for its data collection efforts.

At present, 288 law enforcement agencies report summary-based UCR data to the Department of Public Safety. Of these 288 agencies, approximately 40% include hate crime data with their UCR data. This number may change from year to year because agencies are not required to report if they have had no incidents of bias-motivated crime. The agencies that do report are primarily from the Minneapolis - St. Paul metropolitan area.

## **Minnesota**

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### ***Training***

Minnesota conducted a statewide training session in August 1988. Since that time, the Board of Peace Officer Standards and Training has developed two types of educational programs: educational conferences and regular training workshops. These programs have been funded by contributions from private foundations. These programs are designed to help law enforcement officers recognize hate crimes, aid and understand victims, and understand the reporting requirements under § 626.5531. Officers receive continuing education credits for participation in these programs.

### ***Release***

The Department of Public Safety releases an annual report of UCR data. Included in this report is a section on bias-motivated crimes. This report is released to the Department of Human Rights and the state legislature, after which it becomes public record.

### ***Future developments***

To improve the ability to understand bias-motivated crime, Minnesota is considering expanding its reporting form to include more detailed information about the victims and perpetrators of these crimes. To facilitate collection of this information, Minnesota will likely adopt a reporting form similar to the FBI form.

### **Legislative summary**

#### **(1) § 626.5531 Reporting of crimes motivated by bias.**

**Subdivision 1. Reports required.** A peace officer must report to the head of the officer's department every violation of Chapter 609 or a local ordinance if the officer has reason to believe that the offender was motivated to commit the act by the victim's race, religion, national origin, sex, age, disability, or characteristics identified as sexual orientation.

The superintendent of the Bureau of Criminal Apprehension has created a reporting form which is used by law enforcement agencies to make the reports required by this section. The reports are required to include for each incident the following:

1. Date of the offense
2. Location of the offense
3. Whether the target of the incident was a person, private property, or public property
4. What crime was committed
5. Type of bias and information about the offender and the victim that is relevant to that bias
6. Any organized group involved in the incident
7. Disposition of the case
8. Any additional information the superintendent deems necessary for the acquisition of accurate and relevant data

**Subdivision 2. Use of information collected.** The head of a local law enforcement agency or state law enforcement department that employs peace officers licensed under § 626.843 files a monthly report describing crimes reported under this section with the Department of Public Safety, Bureau of Criminal Apprehension. The Commissioner of Public Safety summarizes and analyzes the information received and files an annual report with the Department of Human Rights and the legislature. The commissioner may include information in the annual report concerning any additional criminal activity motivated by bias that is not covered by this section.

**(2) § 626.8451 Training in identifying and responding to crimes motivated by bias.**

**Subdivision 1. Training course.** The Peace Officer Standards and Training Board prepared a training course to assist peace officers in identifying and responding to crimes motivated by the victim's race, religion, national origin, sex, age, disability, or characteristics identified as sexual orientation. The

## Minnesota

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course includes material to help officers distinguish bias crimes from other crimes, to help officers understand and assist victims of these crimes, and to ensure that bias crimes are reported as required under § 626.5531. The course is updated periodically as the Board considers appropriate.

**Subdivision 2. Preservice training requirement.** An individual cannot be licensed as a peace officer unless he/she has received the training described in Subdivision 1 (effective 08/01/90).

**Subdivision 3. In-service training: Board requirements.** The Peace Officer Standards and Training Board provides chief law enforcement officers with instructional materials developed by the Board under Subdivision 1. These materials meet Board requirements for continuing education credit and are updated periodically as the Board deems appropriate. The Board also sought and received funding for an educational conference to inform and sensitize chief law enforcement officers and other interested persons to the law enforcement issues associated with bias crimes (funding was provided by private foundations).

**Subdivision 4. In-service training: Chief law enforcement officer requirements.** It is the duty of the chief law enforcement officer to inform all peace officers within the officer's agency of (1) the requirements of § 626.5531, (2) the availability of the instructional materials provided by the Board under Subdivision 3, and (3) the availability of continuing education credit for the completion of these materials.

## Characteristics of hate crimes, 1990<sup>1</sup>

Table 5.1. Offense

	Number of incidents	Percent
Total*	309	99.7
Criminal sexual conduct	2	.6
Robbery	7	2.3
Aggravated assault	44	14.2
Burglary	2	.6
Larceny/theft	2	.6
Arson	2	.6
Simple assault	82	26.5
Destruction/damage/vandalism	43	13.9
Cross burnings	8	2.6
Harassment	97	31.4
Other	20	6.4

\*The sum of the percentages does not equal 100% because of rounding.

Table 5.2. Location of incident

	Number of incidents	Percent
Total	309	100.0
Church/synagogue/temple	2	.6
Government/public building	3	1.0
Highway/road/alley/street	103	33.3
Hotel/motel	5	1.6
Parking lot/garage	28	9.1
Residence/home	93	30.1
School/college	36	11.7
Business	26	8.4
Other	13	4.2

Table 5.3. Bias motivation

	Number of incidents	Percent
Total	309	100.0
Racial	257	83.2
Ethnicity/national origin	4	1.3
Religious	24	7.8
Sexual orientation	22	7.1
Disability	2	.6

Table 5.4. Type of victim

	Number of incidents	Percent
Total	309	100.0
Person	246	79.6
Private property	52	16.8
Public property	11	3.6

<sup>1</sup>Minnesota data include only one victim, offense, and offender per incident.

## Minnesota

**Table 5.5. Race of offender**

	Number of offenders	Percent
Total	309	100.0
White	123	39.8
Black	88	28.5
Indian or Alaska Native	5	1.6
Asian or Pacific Islander	7	2.3
Hispanic	4	1.3
Unknown/ not applicable	82	26.5

**Table 5.6. Race of victim**

	Number of victims	Percent
Total <sup>a</sup>	309	99.9
White	132	42.7
Black	103	33.3
Hispanic	10	3.2
Indian or Alaska Native	4	1.3
Asian or Pacific Islander	34	11.0
Unknown	26	8.4

<sup>a</sup>The sum of the percentages does not equal 100% because of rounding

**Table 5.7. Sex of offender**

	Number of offenders	Percent
Total	309	100.0
Female	22	7.1
Male	204	66.0
Unknown/ not applicable	83	26.9

**Table 5.8. Sex of victim**

	Number of victims	Percent
Total	309	100.0
Female	73	23.6
Male	210	68.0
Unknown	26	8.4

Table 5.9. Victim-offender relationship

	Number of incidents	Percent
Total <sup>a</sup>	309	99.9
Neighbor	26	9.1
Acquaintance	27	9.4
Girl/boyfriend or expouse	1	.3
Employee/employer	3	1.0
Other person known to victim	14	4.9
Stranger	114	39.7
Unknown	99	34.5
Other	3	1.0
Not applicable	22	--

<sup>a</sup>The sum of the percentages does not equal 100% because of rounding.

--Calculation of the percentages does not include incidents which were not applicable.

Table 5.10. Organized hate group

	Number of incidents	Percent
Total	309	100.0
Gang affiliation	11	3.6
Possible Skinhead	3	1.0
Skinhead	5	1.6
Other	4	1.3
Unknown/none	286	92.5





## **Background of hate crime data collection**

### ***Authorization***

The state of New Jersey has been collecting hate crime data since January 1, 1988, as part of the New Jersey UCR Program. The authorization for hate crime collection comes from Executive Directive N. 1987-3 which assigns responsibility to the New Jersey Division of State Police to "collect, gather, assemble, and collate" information regarding hate crime activity. The order requires that information involving criminal offenses which involve persons, private property, or public property and are based on race, color, creed, ethnicity, or religion should be reported by "properly completing and promptly forwarding the 'Supplementary Bias Incident Offense Report'" form.

### ***Staffing***

Currently the state police is responsible for all aspects of New Jersey's hate crime data collection. Reporting is done on a specialized code form developed by the UCR Unit, a unit of three enlisted and eight civilian employees in the main office. The unit also has the support of the 14 enlisted members in the state police Field Services Unit. These field representatives are assigned specific areas of responsibility covering New Jersey's 21 counties.

The UCR Unit and the Field Services Unit were structured this way at the time the executive directive was signed. In addition to completing other regular duties, all personnel in these units work on hate crime data collection and reporting. All of New Jersey's 562 law enforcement agencies participate in the hate crime reporting program, which has zero reporting.

### ***Training***

The UCR Unit of the state police coordinated the training of all local police departments in the reporting and collection of all crime data including hate crime data. The field representatives are responsible for this training which

## New Jersey

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emphasizes training at least one person in each department who in turn can train the other members of the department. Usually, the person in charge of UCR for a given department is the initial person trained, as is anyone else who is interested. Training is also conducted at the annual state UCR seminars which have special sessions on training for hate crime reporting. About 80% of all the police departments send representatives to attend the annual UCR seminars. Field representatives also conduct site visits to assist any of those who have not attended the seminar or if any other questions pertaining to bias crimes arise.

### *Release*

Reporting takes the form of an annual Bias Incident Report, usually published in the Spring. Hate crime data are also reported in the annual state UCR report, *Crime in New Jersey*. Copies are distributed to state executives, legislators, and the press. Approximately 600 copies were printed for 1988, 1989, and 1990.

### *Future developments*

Changes are planned for the state's hate crime data collection form. Some aspects of the collection program will be computerized, including submitting hate crime data to the FBI on computer disk rather than on paper. The data will be reported by municipality to comply with the FBI's request for zero reporting.

During August 1990, New Jersey changed their Executive Order to include the collection of bias crime data which is known to be motivated by sexual orientation. In September, New Jersey started the actual collection of these data and made provisions for such collection on their state hate crime reporting form. In 1991, New Jersey updated their hate crime reporting form to include sexual orientation.

## **Legislative summary**

### **Executive Directive No. 1987-3**

This directive was created in response to citizen concern about the number of acts of violence and the vandalism directed at the citizens of New Jersey because of their race, religion, or ethnic origin. The attorney general of New Jersey, the chief law enforcement officer of the state, requested that the entire law enforcement community investigate and prosecute such acts of bigotry. Following this investigation, an Ad Hoc Committee on Bias Incident Reporting was formed in March 1987.

Pursuant to the provisions of New Jersey S.A. 52:17B-5.2 the "Supplementary Bias Incident Offense Report" form and "Bias Incident Offense Report Guide" are utilized by the Division of State Police to "collect, gather, assemble, and collate" information regarding hate crime activity.

All New Jersey law enforcement agencies (defined by the provisions of New Jersey A.C. 13:57-1.1) are required to cooperate with the Division of State Police, UCR Unit, in properly completing and promptly forwarding the "Supplementary Bias Incident Report."

### **New Jersey Bill 1062**

On August 9, 1990, this bill was signed into law. The law created a new definition of a bias incident which is set forth in the first paragraph of Standards Section Five. It reads as follows: "For New Jersey Law Enforcement purposes, a Bias Incident is defined as a suspected or confirmed offense or unlawful act which occurs to a person, private property, or public property on the basis of race, color, creed, ethnicity, religion or sexual orientation. An offense is Bias based if the motive for the commission of the offense or unlawful act is racial, religious, ethnic or sexual oriented in nature."

## New Jersey

### Characteristics of hate crimes, 1990<sup>1</sup>

**Table 6.1. Offense**

	Number of incidents	Percent
Total <sup>a</sup>	824	99.9
Murder	1	.1
Sex offense (except rape)	2	.2
Robbery	8	1.0
Aggravated assault	60	7.3
Burglary	9	1.1
Larceny/theft	6	.7
Arson	3	.4
Simple Assault	105	12.7
Destruction/damage/vandalism	38	4.6
Criminal mischief	176	21.4
Harassment	255	30.9
Threats	89	10.8
Other	72	8.7

<sup>a</sup>The sum of the percentages does not equal 100% because of rounding.

**Table 6.3. Bias motivation**

	Number of incidents	Percent
Total <sup>a</sup>	824	100.1
Race	485	58.9
Ethnicity/ national origin	116	14.1
Religious	214	26.0
Sexual orientation <sup>b</sup>	9	1.1

<sup>a</sup>The sum of the percentages does not equal 100% because of rounding.

<sup>b</sup>Crime against persons because of their sexual orientation is not in New Jersey's code form, but it is collected if an occurrence is noted.

<sup>1</sup>New Jersey data include only one victim, offense, and offender per incident.

**Table 6.2. Location of incident**

	Number of incidents	Percent
Total	824	100.0
Church/synagogue/temple	30	3.6
Government/public building	19	2.3
Highway/parking lot	172	20.9
Residence/home	252	30.6
School/college	69	8.4
Business establishment	134	16.3
Cemetery	5	.6
Motor vehicle	57	6.9
Other	86	10.4

**Table 6.4. Victim type**

	Number of incidents	Percent
Total	824	100.0
Individual	549	66.6
Private property	209	25.4
Public property	66	8.0

**Table 6.5. Race of offender**

	Number of offenders	Percent
Total	824	100.0
White	359	43.6
Black	133	16.1
American Indian	4	.5
Asian Indian	7	.8
Oriental	3	.4
Unknown	318	38.6

Table 6.6. Race of victim

	Number of victims	Percent
Total <sup>a</sup>	824	99.9
White	256	31.1
Black	244	29.6
American Indian	2	.2
Asian Indian	21	2.5
Oriental	24	2.9
Other	2	.2
Not applicable <sup>b</sup>	275	33.4

<sup>a</sup>The sum of the percentages does not equal 100% because of rounding.

<sup>b</sup>Property damaged.

Table 6.8. Sex of victim

	Number of victims	Percent
Total	824	100.0
Female	164	19.9
Male	385	46.7
Not applicable <sup>a</sup>	275	33.4

<sup>a</sup>Property damaged.

Table 6.7. Sex of offender

	Number of offenders	Percent
Total	824	100.0
Female	74	9.0
Male	432	52.4
Unknown/ not applicable	318	38.6

Table 6.9. Victim-offender relationship

	Number of incidents	Percent
Total <sup>a</sup>	824	99.9
Acquaintance	62	7.5
Neighbor	91	11.0
Employee	11	1.3
Stranger	295	35.8
Other	50	6.1
Unknown/ not applicable	315	38.2

<sup>a</sup>The sum of the percentages does not equal 100% because of rounding.



## Background of hate crime data collection

### *Authorization*

New York State does not have a specific legislative mandate to collect and report on hate or bias crime data. The New York program operates under a general legislative mandate. This mandate is contained in the New York State Executive Law, Article 35, 837 ff. It authorizes the Division of Criminal Justice Services to "...collect, analyze...and disseminate statistical and other information" and to "... undertake research, studies and analyses ... with respect to criminal justice functions....."

Collection of UCR data by the division is authorized under 837, and the New York Bias Crime Incident Reporting Program (BCIRP) can be considered as a component of the state UCR program. The division's statistical reporting and analysis functions, including the UCR, are the responsibility of the Bureau of Statistical Services.

### *Staffing*

The Bureau of Statistical Services currently devotes one full-time position to the collection, analysis, and publication of bias crime information. Additional Bureau staff provide part-time technical and clerical support. The estimated cost of operation of the system is approximately \$100,000 per year, including salary, fringe benefits, travel, and general overhead. Some Federal funds were available to assist in program startup in 1988 and 1989.

Operating on a voluntary basis, the New York state program received data from approximately 110 of the 574 law enforcement agencies in the state during 1990. Among these are many of the larger police agencies, including the New York City Police, the New York State Police, and the Nassau and Suffolk County Police Departments on Long Island. Participating agencies serve a majority of the state's population.

## New York

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### *Training*

The Bureau of Statistical Services is responsible for the collection and analysis of bias crime data and assists in the training of local agencies. Bias training is incorporated into a variety of regular law enforcement training programs provided by the division's Bureau for Municipal Police. This training is intended to provide a base for local agencies to train their own personnel in the recognition of, response to, and recording of bias crime. The division's Bureau of Statistical Services and Municipal Police, along with staff from participating agencies, provide assistance and support for such locally based training.

### *Release*

The division's Bureau of Statistical Services has produced one report from the BCIRP. Published in 1991, the report covered data reported to the program in 1990 and was widely distributed to legislators, criminal justice officials, and the media. The Bureau provides data from the program on request. There are no restrictions regarding the release of the data.

### *Future developments*

The governor has proposed legislation which would explicitly define bias offending within the New York penal law, establish a penalty structure for these crimes, establish special civil and other remedies for victims, and mandate reporting. The legislature has not acted on this legislation. The BCIRP is structured to operate within the requirement of this mandate should this bill become law.

### **Legislative summary**

#### **Executive Order 837. Functions, powers, and duties of division.**

(a) This section requires the Division of Criminal Justice Services (DCJS) to collect, analyze and report certain data and other information. The division



acts as New York State's representative of the UCR. It is DCJS's responsibility to "collect, analyze, evaluate and disseminate statistical and other information and data." The collection and analysis of bias crime, however, are inclusive in this mandate only on a voluntary basis.

(b) The executive mandate requires the division to undertake research studies and analyses as they may apply to criminal justice functions and their agencies.

(c) The Division of Criminal Justice Services is authorized to collect and analyze statistical data and other information with respect to the number of crimes reported or known to police officers, the number of persons arrested for the commission of an offense, the offense for which the person was arrested, and the jurisdiction in which the arrest occurred, as well as any other pertinent information.

(d) This mandate requests that data be submitted upon request to Federal bureaus or departments who are engaged in collecting national crime statistics.

#### **837-b. Duties of courts and peace officers.**

(1) This section requires that all peace officers, officials, and any person dealing with crimes, criminals, or delinquents submit to the commissioner information that would enable him/her to comply with subsection four or 837. Forms for such reports are supplied by the commissioner. The submission of bias crime is inclusive in this section only on a voluntary basis.

(2) Officers and agencies are to install and maintain records and allow access to the commissioner and accredited agents.

(3) Neglecting the requirements of this section may result in judicial and legal consequences.

## New York

### Characteristics of hate crimes, 1990

**Table 7.1. Offense**

	Number of offenses	Percent
Total <sup>a</sup>	1,130	100.2
Homicide	3	.3
Robbery	29	2.6
Assault <sup>b</sup>	247	21.9
Burglary	7	.6
Larceny/theft	3	.3
Arson	7	.6
Criminal mischief	272	24.1
Harassment	508	45.0
Other	54	4.8

<sup>a</sup>The sum of the percentages does not equal 100% because of rounding.

<sup>b</sup>Includes both aggravated and simple assaults.

**Table 7.2. Bias motivation**

	Number of incidents <sup>a</sup>	Percent
Total	1,100	100.0
Race	496	45.1
Ethnicity/ national origin	91	8.3
Religious	334	30.4
Sexual orientation	160	14.5
Multiple types	11	1.0
Other	8	.7

<sup>a</sup>Includes data on multiple offenses, victims, and offenders.

**Table 7.3. Type of victim**

	Number of offenses	Percent
Total <sup>a</sup>	1,206	100.0
Individual	825	68.4
Business	52	4.3
Religious	108	9.0
Society/public	69	5.7
Residence	105	8.7
Other	47	3.9

<sup>a</sup>Includes data on multiple offenses, victims, and offenders.

**Table 7.4. Race of offender**

	Number of offenders	Percent
Total <sup>a</sup>	808	100.1
White	474	58.7
Black	249	30.8
Asian	3	.4
Other	11	1.4
Unknown	71	8.8

<sup>a</sup>The sum of the percentages does not equal 100% because of rounding.

**Table 7.5. Race of victim**

	Number of victims	Percent
Total <sup>a</sup>	825	100.0
White	477	57.8
Black	258	31.3
Asian	35	4.2
Other	26	3.2
Unknown	29	3.5

<sup>a</sup>The sum of the percentages does not equal 100% because of rounding.

**Table 7.7. Sex of victim**

	Number of victims	Percent
Total	825	100.0
Female	226	27.4
Male	595	72.1
Unknown	4	.5

**Table 7.9. Injury occurred**

	Number of incidents	Percent
Total	1,100	100.0
No	906	82.4
Yes	194	17.6

**Table 7.11. Organized hate group**

	Number of incidents	Percent
Total	1,100	100.0
Single	1,020	92.7
Group	79	7.2
Organized group	1	.1

**Table 7.6. Sex of offender**

	Number of offenders	Percent
Total	808	100.0
Female	84	10.4
Male	724	89.6

**Table 7.8. Weapon used**

	Number of incidents	Percent
Total	1,100	100.0
No	883	80.3
Yes	217	19.7

**Table 7.10. Victim-offender relationship**

	Number of incidents	Percent
Total <sup>a</sup>	1,100	100.1
Relative	1	.1
Acquaintance	22	2.0
Neighbor	21	1.9
Employee/employer	4	.4
Stranger	621	56.5
Landlord/tenant	1	.1
Unknown	430	39.1

<sup>a</sup>The sum of the percentages does not equal 100% because of rounding.



### **Background of hate crime data collection**

#### ***Authorization***

The hate crime data collection began in Oregon on October 1, 1989. The authorization for this collection came through an amendment to the state's UCR law in the spring of 1989. The hate crime statute, which is an amendment to OR. 181.550, requires that crimes motivated by prejudice be reported to the Oregon Executive Department. The Oregon amendment also requires that the Executive Department provide an annual report of statistics on the incidence of such crimes. In addition, the Oregon statute mandates the training of police officers to investigate, identify, and report hate crimes.

#### ***Staffing***

Currently, the state UCR director and his/her assistant are responsible for hate crime data collection. The individual police agencies send the officers' reports to the UCR agency that evaluates the reports and copies them to a control sheet. The date, ORI number, and other important information are written on the UCR check sheet. After the pertinent factors are extracted from the original officer's report, it is returned to the agency for destruction. The staff estimate that they spend approximately 25% of their time on hate crimes. No additional or specific funds are allocated or legislated for hate crime data collection. Operating costs come from the existing UCR budget.

There are 185 police departments in Oregon that report to the state UCR program. The state of Oregon estimates a 99.5% reporting response, for all crime including hate crime, of all police departments in Oregon. The state of Oregon does not have zero reporting. A report is sent to the UCR only if an incident of bias crime has occurred.

## Oregon

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### *Training*

Training of police officers is required by OR. 181.550, the same law that mandates hate crime data collection in Oregon. Hate crime training is provided by the Board of Police Standards and Training. There is no record of how many officers have been trained or how often these training programs have been offered. However, like the collection program, no funds are budgeted for this training.

### *Release*

Hate crime information is released in quarterly reports. All reports contain information on the number of victims, type of prejudice, type of crime, and geographic information by county. This information is paraphrased from the original police officer's report.

### *Future developments*

Oregon has no plans to change the use of its reporting form to the FBI form. In terms of possible future changes, there may be an effort to incorporate the current reporting system into the National Incident-Based Reporting System. A move toward computer automation and away from the current manual paper method is anticipated.

## **Legislative summary**

### **Senate Bill 606**

#### **Or. 181.550. Amendment enacted by the people of the State of Oregon Section 1**

This statute requires:

(A) All enforcement to report to the Executive Department statistics concerning crimes "motivated by prejudice based on the perceived race, color, religion, national origin, sexual orientation, marital status, political affiliation or beliefs, membership or activity in or on behalf of a labor organization or against a labor organization, physical or mental handicap, age, economic or social status or citizenship of the victim."

(B) An annual report of the statistics on the incidence of crime motivated by those described above is published by the Executive Department.

#### **Section 3**

The Board of Police Standards and Training is required to ensure that all police officers are trained to investigate, identify, and report crimes motivated by the aforementioned biases.

## Oregon

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### Characteristics of hate crimes, 1990

Table 8.1. Offense

	Number of incidents	Percent
Total <sup>a</sup>	343	100.1
Robbery	64	18.7
Aggravated assault	10	2.9
Burglary/theft	3	.9
Simple assault	68	19.8
Destruction/ damage/vandalism	65	19.0
Threats	49	14.3
Other	84	24.5

<sup>a</sup>The sum of the percentages does not equal 100% because of rounding.

Table 8.2. Bias motivation

	Number of incidents	Percent
Total <sup>a</sup>	343	99.9
Racial	222	64.7
Ethnicity/ national origin	56	16.3
Religious	19	5.5
Sexual orientation	35	10.2
Political	10	2.9
Labor union	1	.3

<sup>a</sup>The sum of the percentages does not equal 100% because of rounding.

Table 8.3. Race of offender

	Number of offenders	Percent
Total <sup>a</sup>	782	100.0
White	622	79.5
Black	147	18.8
Indian	1	.1
Hispanic	10	1.3
Asian	2	.3

<sup>a</sup>Includes data on multiple offenders.

Table 8.4. Race of victim

	Number of victims	Percent
Total <sup>a</sup>	391	100.0
White	187	47.8
Black	125	32.0
Indian	4	1.0
Hispanic	55	14.1
Asian	20	5.1

<sup>a</sup>Includes data on multiple victims.



**Table 8.5. Sex of offender**

	Number of offenders	Percent
Total <sup>a</sup>	782	100.0
Female	172	22.0
Male	610	78.0

<sup>a</sup>Includes multiple offenders.

**Table 8.6. Sex of victim**

	Number of victims	Percent
Total <sup>a</sup>	391	100.0
Female	91	23.3
Male	300	76.7

<sup>a</sup>Includes multiple victims.



### Background of hate crime data collection

#### *Authorization*

Authorization for the mandatory reporting of hate crime statistics, known in Pennsylvania as *ethnic intimidation*, was passed by the state legislature as Act 129, effective January 1, 1987. This act assigns responsibility to the Pennsylvania State Police to collect from all local law enforcement agencies and the state fire marshal on a monthly basis, any incidents related to race, color, religion, or national origin of individuals or groups.

#### *Staffing*

Currently, individual Pennsylvania law enforcement agencies send monthly reports of bias crimes to the UCR Unit of the Pennsylvania State Police. The UCR Unit forwards the summary reports to the Bureau of Community Services of the state police, which serves as the repository for the information. There are several individuals who are assigned the responsibility, along with other regular duties, for the collection of hate crime data. No analysis is done of these data. The cost of hate crime data collection is absorbed as part of normal police business expenses.

Over 1,000 police agencies in Pennsylvania report into the UCR system. Since reports are completed only when incidents occur, the number of agencies reporting hate crimes varies from month to month. Pennsylvania does not have zero reporting. Reporting is done on a specialized code developed by the Pennsylvania State Police.

#### *Training*

The Pennsylvania State Police UCR coordinators provide training of police officers as needed. The Bureau of Community Services also provides training to officers and instructors when necessary. This training consists of instructions

## **Pennsylvania**

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on how to complete the ethnic intimidation forms and on the detection of what constitutes an ethnic intimidation crime. At the annual Community Services seminars, there may be some specialized training on bias crimes.

### ***Release***

Pennsylvania has no annual report on bias-motivated crimes, and these types of crimes are not reported in the annual state report. Act 129 empowers the commissioner of the Pennsylvania State Police, under promulgated regulations, to determine release of ethnic intimidation data when requested in writing by an agency. There are tentative plans to incorporate the data in the *1991 Annual Crime Report*.

### ***Future developments***

Several variables on the Pennsylvania form are not captured on the FBI form. The state is working to merge the information in the two forms into a new form.

### **Legislative summary**

#### **Act 129 - 1986 - 710(1).**

This act, known as the Ethnic Intimidation Statistics Collection Act, authorizes the collection of information relating to crimes and incidents related to race, color, religion, or national origin of individuals or groups.

This information will be reported monthly by all local law enforcement agencies and the state fire marshal. Any information, records, and statistics collected in accordance with subsection (i) will be available for the public.

The commissioner of the Pennsylvania State Police will, by regulation, establish conditions for the use or availability of such information as may be necessary to its preservation, protection of confidential information, or the circumstances of a pending prosecution.

## Characteristics of hate crimes, 1990<sup>1</sup>

Table 9.1. Offense

	Number of incidents	Percent
Total	194	100.0
Robbery	3	1.5
Aggravated assault	36	18.6
Burglary	1	.5
Simple assault	38	19.6
Intimidation	1	.5
Destruction/damage/vandalism	1	.5
Criminal mischief	42	21.7
Harassment	46	23.7
Threats	15	7.7
Other	11	5.7

Table 9.4. Race of victim

	Number of victims	Percent
Total	194	100.0
White	78	40.2
Black	95	49.0
Hispanic	3	1.5
Asian	4	2.1
American Indian	2	1.0
Other	1	.5
Unknown	11	5.7

Table 9.2. Race of offenders

	Number of offenders	Percent
Total	194	100.0
White	85	43.8
Black	41	21.1
Hispanic	7	3.6
Asian	4	2.1
Unknown	57	29.4

Table 9.3. Sex of offender

	Number of offenders	Percent
Total	194	100.0
Female	22	11.3
Male	117	60.3
Unknown	55	28.4

Table 9.5. Sex of victim

	Number of victims	Percent
Total	194	100.0
Female	71	36.6
Male	114	58.8
Unknown	9	4.6

<sup>1</sup>Pennsylvania data include only one victim, offense, and offender per incident.

## Pennsylvania

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**Table 9.6. Type of weapon**

	Number of incidents	Percent
Total*	194	99.9
Firearm	12	6.2
Knife	9	4.6
Blunt object	22	11.3
Hands/fist/feet	7	3.6
Explosives	1	.5
Other	2	1.0
None/unknown	141	72.7

\*The sum of the percentages does not equal 100% because of rounding.

**Table 9.7. Injury incurred**

	Number of offenders	Percent
Total	194	100.0
No	137	70.6
Yes	47	24.2
Unknown	10	5.2

### **Background of hate crime data collection**

#### ***Authorization***

The authorization for hate crime data collection in Rhode Island was first passed by the state legislature as Public Laws Chapter 88-249, effective January 1, 1989. This act was later codified as law in the form of Rhode Island General Laws, Section 42-28-46 of Chapter 42-28, which assigns responsibility to the Rhode Island State Police to "monitor the occurrence of crimes committed in the state which the evidence of the offense demonstrates was motivated by racial, religious, or ethnic bigotry or bias."

#### ***Staffing***

Currently, one person is responsible for collecting and recording the hate crime data sent to the Rhode Island State Police. The estimated annual cost to the Rhode Island State Police of this collection effort is \$2,500. Rhode Island has not yet been able to conduct any training for law enforcement officers in hate crime recognition and reporting.

Forty-five agencies report summary-based UCR data to the Rhode Island State Police. All agencies report monthly, whether or not any hate crimes occurred.

#### ***Release***

As of January 1992, Rhode Island has implemented a new reporting form which is quite similar to the FBI form. To date, Rhode Island has not released statistics or information regarding crimes motivated by bias and bigotry.

#### ***Training***

Rhode Island has been unable to conduct any training. The FBI has offered assistance, but due to manpower shortages and fiscal constraints in many agencies, the state has hesitated to conduct mandatory training.

## Rhode Island

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### *Future developments*

In early 1993, Rhode Island is scheduled to release its first annual report containing information on crimes motivated by bias and bigotry. The annual report, entitled *Crime in Rhode Island*, is modeled after the UCR *Crime in the United States*.

### **Legislative summary**

**(1) 42-28-46. Development of a system monitoring crimes motivated by bigotry or bias.**

As of January 1, 1989, Rhode Island implemented a mandatory system to monitor the occurrence of crimes motivated by "racial, religious, or ethnic bigotry or bias." All police departments are required to report monthly occurrences of bias crimes to the state police. The state police department is required to maintain permanent records of these offenses and to collect, analyze, and disseminate data on bias crimes within the state.



## Characteristics of hate crimes, 1990

Table 10.1. Offense

	Number of incidents	Percent
Total	43	100.0
Rape	1	2.3
Aggravated assault	2	4.6
Simple assault	12	27.9
Destruction/ damage/vandalism	12	27.9
Harassment	6	14.0
Threats	2	4.7
Other	8	18.6

Table 10.2. Location of incident

	Number of incidents	Percent
Total <sup>a</sup>	43	100.1
Highway/parking lot	6	14.0
Residence/home	9	20.9
School/college	4	9.3
Business establishment	6	14.0
Other	8	18.6
Unknown	10	23.3

<sup>a</sup>The sum of the percentages does not equal 100% because of rounding.

Table 10.3. Bias motivation

	Number of incidents	Percent
Total	43	100.0
Racial	28	65.1
Ethnicity/national origin	1	2.3
Religious	11	25.6
Unknown	3	7.0

Table 10.4. Type of victim

	Number of incidents	Percent
Total	43	100.0
Person	30	69.8
Private property	9	20.9
Public property	4	9.3

Table 10.5. Race of offender

	Number of offenders	Percent
Total	62	100.0
White	23	37.1
Black	8	12.9
Asian	2	3.2
Hispanic	1	1.6
Unknown	28	45.2

Table 10.6. Race of victim

	Number of victims	Percent
Total <sup>a</sup>	46	100.0
White	10	21.8
Black	8	17.4
Asian	6	13.0
Hispanic	5	10.9
Unknown	7	15.2
Not applicable	10	21.7

<sup>a</sup>Includes multiple victims.



### Background of hate crime data collection

#### *Authorization*

Under the authority of state law, the Department of State Police in Virginia began collecting hate crime data on July 1, 1988. The Bureau of Criminal Investigation (BCI) collects specific data on individual perpetrators and victims. Beginning in 1990, the UCR section started participating in the collection of the statistical data from the hate crime reports collected by the BCI.

#### *Staffing*

Currently three individuals with the UCR program are involved part time with the state hate crime data collection program. All three work with the state on hate crime data collection as part of their regular duties. Six individuals work on the hate crime offender data base at BCI. If a hate crime has occurred and is reported to the police, one of the 281 police agencies in Virginia transmits a report to the UCR. The state does not have zero reporting.

#### *Training*

The Department of State Police has hosted two 8-hour training sessions at the police academy. The UCR field service representatives provide on-site training in hate crime investigation and reporting to both the civilian and law enforcement personnel. Supplementary training is provided through the Department of Criminal Justice Services' regional academies, and when requested, the state police will provide instructors for that training. Additionally, the FBI provides 8-hour training sessions for large agencies.

#### *Release*

Currently hate crime data are released on request by the UCR unit to any citizen. Hate crime data are included in the annual state report, and a report consisting of only hate crime data is planned.

## **Virginia**

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### ***Future developments***

Currently the only major concern facing the hate crime data collection program in Virginia is possible lack of participation by local police departments.

Virginia has its own code form for collecting hate crime data and has no plans to change to the FBI form. Plans are being developed to include hate crime data in the state's monthly UCR newsletter.

### **Legislative summary**

#### **(1) House Joint Resolution No. 339**

This joint resolution created a subcommittee, consisting of seven members appointed by the speaker of the House of Delegates, to study the problem of violence motivated by racial, ethnic, or religious hatred and to recommend possible changes in Virginia's laws for collecting data about such incidents. The joint subcommittee completed its work late in 1987.

#### **(2) Act to amend Chapter 492 with 8.01-42.1**

This amendment of 1988 allows for civil action for injunctive relief and/or civil damages in cases of racial, religious, or ethnic harassment, violence or vandalism. Any party who initiates and succeeds in an action authorized by this section is entitled to damages. The provisions of this section do not apply to actions between employees and their employers or incidents arising in the workplace.

## Characteristics of hate crimes, 1990<sup>1</sup>

Table 11.1. Offense

	Number of incidents	Percent
Total	91	100.0
Aggravated assault	4	4.4
Arson	1	1.1
Simple assault	10	11.0
Destruction/ damage/vandalism	31	34.0
Cross burnings	13	14.3
Harassment	9	9.9
Threats	10	11.0
Other	13	14.3

Table 11.3. Race of offender

	Number of incidents	Percent
Total	91	100.0
White	25	27.5
Black	15	16.5
Arabic	1	1.1
Unknown	50	54.9

Table 11.5. Sex of offender

	Number of incidents	Percent
Total	91	100.0
Female	4	4.4
Male	34	37.4
Unknown	53	58.2

<sup>1</sup>Virginia data include only one victim, offense, and offender per incident.

Table 11.2. Type of victim

	Number of incidents	Percent
Total	91	100.0
Individual	67	73.6
Business	1	1.1
Religious organization	13	14.3
Society/public	4	4.4
Other	6	6.6

Table 11.4. Race of victim

	Number of incidents	Percent
Total <sup>a</sup>	91	99.9
White	22	24.2
Black	36	39.4
Hispanic	2	2.2
Asian	1	1.1
Pakistani	1	1.1
Unknown	8	8.8
Not applicable <sup>b</sup>	21	23.1

<sup>a</sup>The sum of the percentages does not equal 100% because of rounding.

<sup>b</sup>Property damaged.

Table 11.6. Sex of victim

	Number of victims	Percent
Total	91	100.0
Female	4	4.4
Male	34	37.4
Unknown/ not applicable	53	58.2



## Appendix A

### Characteristics of hate crime reported in 11 states

Reported characteristic	CT	FL	MD	MA	MN	NJ	NY	OR	PA	RI	VA
Bias motivation:											
Race											
Religion											
Ethnicity/national origin											
Sexual orientation											
Handicap status											
Age											
Other											
Offense											
Location of incident											
Race of offender											
Sex of offender											
Race of victim											
Sex of victim											
Type of victim											
Victim/offender relationship											
Weapon used											
Extent of damage or injury											
Organized hate group involvement											

The legislative and statistical information above relates to the timeframe of this report. Subsequent changes in legislation or data collection in these states are not represented here.





# Appendix B

## FBI Hate Crime Reporting Form

11-2 (12-1-92)

### QUARTERLY HATE CRIME REPORT Offenses Known to Law Enforcement

#### Summary Page

Form Approved  
OMB No. 1110-0015  
Approved through 4/30/93

This report is authorized by Title 28, Section 534, U.S. Code, and the Hate Crime Statistics Act of 1990. Your cooperation in using this form to report hate crimes known to your department will assist the FBI in compiling comprehensive and accurate data regarding incidence and prevalence of Hate Crime throughout the Nation. Please submit this report on a quarterly basis, by the 15th day after the close of the quarter, to Uniform Crime Reports, FBI, Washington, D.C. 20535.

City _____		County _____		State _____	
Name of Agency _____			Agency Identifier (ORI) _____		
Name of Preparer _____			Title _____		
Quarter and Year of Report:		January - March <input type="checkbox"/>	April - June <input type="checkbox"/>		
		July - September <input type="checkbox"/>	October - December <input type="checkbox"/>		
Year _____					
Total number of incidents reported in this quarter _____					
If there were no hate crimes in this quarter, check this box <input type="checkbox"/>					

Deletion of incident(s) previously reported [Applicable only for deletion of entire incident(s)].

#### Incident Number


#### Date of the Incident

Month	Day	Year
Month	Day	Year
Month	Day	Year
Month	Day	Year
Month	Day	Year

NOTE: Public reporting for this collection of information is estimated to average .17 hours per response, including the time for reviewing. Send comments regarding this burden estimate or any other aspects of this collection of information, including suggestions for reducing this burden, to Uniform Crime Reporting Program, Federal Bureau of Investigation, Washington, D.C. 20535; and to the Office of Information and Regulatory Affairs, OMB Number 1110-xxxx, Office of Management and Budget, Washington, D. C. 20503.

## Appendix B

11-1 (12-1-92)

<b>HATE CRIME INCIDENT REPORT</b>																																																																										
Initial <input type="checkbox"/> Adjustment <input type="checkbox"/>		ORI <input type="text"/>		Date of Incident <input type="text"/> / <input type="text"/> / <input type="text"/>																																																																						
Incident No. <input type="text"/>				Page <input type="text"/> of <input type="text"/> of Same Incident																																																																						
<b>UCR Offense</b> UCR Code # of victims #1 <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> #4 <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> UCR Code # of victims #2 <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> #5 <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> UCR Code # of victims #3 <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> #6 <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>		<b>Offense Code</b> 01 Murder 02 Forcible Rape 03 Robbery 04 Aggravated Assault 05 Burglary 06 Larceny-Theft 07 Motor Vehicle Theft 08 Arson 09 Simple Assault 10 Intimidation 11 Destruction / Damage / Vandalism																																																																								
<b>Location (Check one for Offense #1)</b> <table style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;">           01 <input type="checkbox"/> Air / Bus / Train Terminal            02 <input type="checkbox"/> Bank / Savings and Loan            03 <input type="checkbox"/> Bar / Night Club            04 <input type="checkbox"/> Church / Synagogue / Temple            05 <input type="checkbox"/> Commercial / Office Building            06 <input type="checkbox"/> Construction Site            07 <input type="checkbox"/> Convenience Store            08 <input type="checkbox"/> Department / Discount Store            09 <input type="checkbox"/> Drug Store / Dr.'s Office / Hospital            10 <input type="checkbox"/> Field / Woods            11 <input type="checkbox"/> Government / Public Building            12 <input type="checkbox"/> Grocery / Supermarket            13 <input type="checkbox"/> Highway / Road / Alley / Street         </td> <td style="width: 50%; vertical-align: top;">           14 <input type="checkbox"/> Hotel / Motel / etc.            15 <input type="checkbox"/> Jail / Prison            16 <input type="checkbox"/> Lake / Waterway            17 <input type="checkbox"/> Liquor Store            18 <input type="checkbox"/> Parking Lot / Garage            19 <input type="checkbox"/> Rental Storage Facility            20 <input type="checkbox"/> Residence / Home            21 <input type="checkbox"/> Restaurant            22 <input type="checkbox"/> School / College            23 <input type="checkbox"/> Service / Gas Station            24 <input type="checkbox"/> Specialty Store (TV, Fur, etc.)            25 <input type="checkbox"/> Other / Unknown         </td> </tr> </table>										01 <input type="checkbox"/> Air / Bus / Train Terminal 02 <input type="checkbox"/> Bank / Savings and Loan 03 <input type="checkbox"/> Bar / Night Club 04 <input type="checkbox"/> Church / Synagogue / Temple 05 <input type="checkbox"/> Commercial / Office Building 06 <input type="checkbox"/> Construction Site 07 <input type="checkbox"/> Convenience Store 08 <input type="checkbox"/> Department / Discount Store 09 <input type="checkbox"/> Drug Store / Dr.'s Office / Hospital 10 <input type="checkbox"/> Field / Woods 11 <input type="checkbox"/> Government / Public Building 12 <input type="checkbox"/> Grocery / Supermarket 13 <input type="checkbox"/> Highway / Road / Alley / Street	14 <input type="checkbox"/> Hotel / Motel / etc. 15 <input type="checkbox"/> Jail / Prison 16 <input type="checkbox"/> Lake / Waterway 17 <input type="checkbox"/> Liquor Store 18 <input type="checkbox"/> Parking Lot / Garage 19 <input type="checkbox"/> Rental Storage Facility 20 <input type="checkbox"/> Residence / Home 21 <input type="checkbox"/> Restaurant 22 <input type="checkbox"/> School / College 23 <input type="checkbox"/> Service / Gas Station 24 <input type="checkbox"/> Specialty Store (TV, Fur, etc.) 25 <input type="checkbox"/> Other / Unknown																																																															
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## INSTRUCTIONS FOR PREPARING QUARTERLY HATE CRIME AND HATE CRIME INCIDENT REPORT

### GENERAL

This report is separate from and in addition to the routine Summary UCR submission and the Hierarchy Rule does not apply. Also, in the Summary UCR system, the offenses of Intimidation and Destruction/Damage/Vandalism of Property are reported only when arrests occur. On this form, all are to be reported when they have been determined to have occurred and are bias-motivated, regardless of whether arrests have taken place. Refer to the Hate Crime Reporting Guidelines for additional information, clarification, and explanation.

### SUMMARY PAGE

1. At the end of each calendar quarter, a single Summary Page, along with an individual Incident Report for each hate-motivated incident identified during the quarter (if any), should be jointly submitted. If none occurred, submit only the Summary Page.
2. The Summary Page should be used to identify your agency, to state the number of hate-related incidents being reported for the calendar quarter, and to delete any incidents previously reported which were determined during the reporting period not to be hate related.

### HATE CRIME INCIDENT REPORT

3. The Incident Report should be used to report initially a hate-related incident or to adjust information in a previously reported incident.
4. Provide an identifying incident number which preferably will be your "case" or "file" number.
5. Provide codes for all offenses within the incident determined to be hate related and the number of victims for each such offense. In multiple offense incidents, report only those offenses determined to be hate related. Should more than six offenses be involved in one incident, use additional Incident Reports and make appropriate entries in the "page ☐ of ☐ " portion of the form.
6. Provide the most appropriate location for each hate-related offense.
7. Provide the nature of the hate/bias motivation for each hate-related offense.
8. Provide the victim type for each offense identified within the hate-related incident.
9. Where the victim type is an "individual," indicate the total number of individual victims (persons) involved in the incident irrespective of the number of offenses in which they were involved.
10. Provide the number of offenders, if known, or report that such is unknown.
11. Provide the suspected offender's race, if known. If there was more than one offender, provide the race of the group as a whole.
12. Include on separate paper any additional comments/information you feel will add clarity to the report. (optional)



**Appendix C**

**Pertinent hate crime legislation in 11 states, 1990**

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**Connecticut**

**C.G.S. Sec. 29-7m. Record and classification of crimes motivated by bigotry and bias.** On and after July 1, 1988, the division of state police within the department of public safety shall monitor, record and classify all crimes committed in the state which are motivated by bigotry and bias.

**C.G.S. Sec. 53a-24. Offense defined. Application of sentencing provisions to motor vehicle and drug selling violators.**

(a) The term "offense" means any crime or violation which constitutes a breach of any law of this state or of any other state or of federal law or local law or ordinance of a political subdivision of this state, for which a sentence to a term of imprisonment or to a fine, or both, may be imposed, except one that defines a motor vehicle violation or is deemed to be an infraction. The term "crime" comprises felonies and misdemeanors. Every offense which is not a "crime" is a "violation." Conviction of a violation shall not give rise to any disability or legal disadvantage based on conviction of a criminal offense.

**C.G.S. Sec. 53a-25. Felony: Definition, classification, designation.**

(a) Any offense for which a person may be sentenced to a term of imprisonment in excess of one year is a felony.

(b) Felonies are classified for the purposes of sentence as follows: (1) Class A, (2) class B, (3) class C, (4) class D, (5) unclassified and (6) capital felonies for which the sentence of death may be imposed as provided in sections 53a-46a and 53a-46b.

(c) The particular classification of each felony defined in this chapter is expressly designated in the section defining it. Any offense defined in any other section of the general statutes which, by virtue of any expressly specified sentence, is within the definition set forth in subsection (a) shall be deemed an unclassified felony.

**C.G.S. Sec. 53a-26. Misdemeanor: Definition, classification, designation.**

(a) An offense for which a person may be sentenced to a term of imprisonment of not more than one year is a misdemeanor.

(b) Misdemeanors are classified for the purpose of sentence as follows: (1) Class A, (2) class B, (3) class C and (4) unclassified.

## Appendix C

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(c) The particular classification of each misdemeanor defined in this chapter is expressly designated in the section defining it. Any offense defined in any other section of the general statutes which, by virtue of an expressly specified sentence, is within the definition set forth in subsection (a) shall be deemed an unclassified misdemeanor.

### **C.G.S. Sec. 46a-58 (Formerly Sec 53-34). Deprivation of rights. Desecration of property. Cross burning. Penalty.**

(a) It shall be a discriminatory practice in violation of this section for any person to subject, or cause to be subjected, any other person to the deprivation of any rights privileges or immunities, secured or protected by the constitution or laws of this state or of the United States, on account of religion, national origin, alienage, color, race, sex, blindness or physical disability.

(b) Any person who intentionally desecrates any public property, monument or structure, or any religious object, symbol or house of religious worship or any cemetery, or any private structure not owned by such person, shall be in violation of subsection (a). For purposes of this subsection, "desecrate" means to mar, deface or damage as a demonstration of irreverence or contempt.

(c) Any person who places a burning cross or a simulation thereof on any public property, or on any private property without the written consent of the owner, shall be in violation of subsection (a).

(d) Any person who violates any provision of this section shall be guilty of a class A misdemeanor, except that if property is damaged as a consequence of such violation in an amount in excess of one thousand dollars, such person shall be guilty of a class D felony.

### **C.G.S. Sec. 53-37a. Deprivation of a person's civil rights by person wearing mask or hood: Class D felony.**

Any person who, with the intent to subject, or cause to be subjected, any other person to the deprivation of rights, privileges or immunities, secured or protected by the constitution or laws of this state or of the United States, on account of religion, national origin, alienage, color, race, sex, blindness or physical disability, violates the provisions of section 46a-58 while wearing a mask, hood or other device designed to conceal the identity of such person shall be guilty of a class D felony.

## **Florida**

### **877.19 Hate Crimes Reporting Act.-**

#### **(1) Short title. -**

This section may be cited as the "Hate Crimes Reporting Act."

#### **(2) Acquisition and publication of data.-**

The Governor, through the Florida Department of Law Enforcement, shall collect and disseminate data on incidents of criminal acts that evidence prejudice based on race, religion, ethnicity, color, ancestry, or national origin. All law enforcement agencies shall report monthly to the Florida Department of Law Enforcement concerning such offenses in such form and in such manner as prescribed by rules adopted by the department. Such information shall be compiled by the department and disseminated upon request to any local law enforcement agency, unit of local government, or state agency.

#### **(3) Limitation on use and content of data. -**

Dissemination of such information shall be subject to all confidentiality requirements otherwise imposed by law. Data required pursuant to this section shall be used only for research or statistical purposes and shall not include any information that may reveal the identity of an individual victim of crime.

#### **(4) Annual summary.-**

The Attorney General shall publish an annual summary of the data required pursuant to this section.

## **Appendix C**

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### **Maryland**

#### **Article 88b**

##### **§ 9. Criminal information.**

(a) In general. - The Maryland State Police Department shall collect, analyze, and disseminate information relative to the incidence of crime within the State.

(b) Information relative to incidents directed against racial, religious, or ethnic groups.

(1) The Department shall collect and analyze information relating to incidents apparently directed against racial, religious, ethnic groups.

(2) Each local law enforcement agency and the State Fire Marshal shall provide the Department the information described in paragraph (1) of this subsection.

(3) The Department shall adopt procedures for the collection and analysis of information described in paragraph (1) of this subsection. (1968, ch.547, S 1; 1981, ch.404; 1988, ch. 122; 1985, ch. 135.)

##### **§ 10. Dissemination of information to participating agencies.**

(a) In general. - Any information, records, statistics collected pursuant to this subtitle shall be available for use by any agency required to furnish information, to the extent that such information is reasonably necessary or useful to such agency in carrying out the duties imposed upon it by law. The Superintendent may by rule establish such conditions for the use or availability of such information as may be necessary to its preservation, the protection of confidential information, or the circumstances of a pending prosecution.

(b) Monthly reports of information compiled pursuant to S9 (b). - The Department shall make monthly reports to the State Human Relations Commission of the information compiled pursuant to S9 (b) of this article. (1968, ch.547, S1; 1981, ch.404.)



**Article 27 - § 470A. Crimes against religious property or persons or property because of race, religious beliefs, etc.**

**(a) Definition -**

(1) In this section the following words have the meanings indicated.

(2) "Religious real property" includes:

(i) A church, synagogue, or other place of worship;

(ii) A cemetery;

(iii) A religious school, educational facility, community center, structure, or other real property used for any other religious purpose; and

(iv) The grounds adjacent to the property described in items (i) through (iii) of this paragraph.

**(b) Prohibited acts-**

**A person may not:**

(1) Deface, damage, or destroy or attempt to deface, damage, or destroy religious real property that is owned, leased, or used by a religious entity;

(2) Obstruct, or attempt to obstruct by force or threat of force, a person in the free exercise of that person's religious beliefs;

(3) Harass or commit a crime upon a person or damage the real or personal property of a person because of that person's race, color, religious beliefs, or national origin; or

(4) Deface, damage, or destroy or attempt to deface, damage, or destroy the real or personal property of a person because of that person's race, color, religious beliefs, or national origin.

**(c) Penalties -**

A person who violates the provisions of this section is subject to the following penalties:

(1) If the violation involves a separate crime that is a felony, the person is guilty of a felony and upon conviction is subject to imprisonment for not more than 10 years, or a fine of not more than \$10,000, or both.

## Appendix C

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(2) If the violation involves a separate crime that is a felony, the person is guilty of a felony and upon conviction is subject to imprisonment for not more than 20 years, or a fine of not more than \$20,000, or both.

(3) In all other cases, the person is guilty of a misdemeanor and upon conviction is subject to imprisonment for not more than 3 years, or a fine of not more than \$5,000, or both.

**(d) Penalties additional -**

Prosecution of a person under this section does not preclude prosecution and imposition of penalties for any other crime in addition to any penalties imposed under this section.

## **Massachusetts**

### **An act relative to the reporting of hate crimes**

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

#### **Section 1.**

Chapter 6 of the General Laws is hereby amended by inserting after section 116A the following sections:

#### **Section 116B.**

The criminal justice training council shall provide instruction for police officers in identifying, responding to and reporting all incidents of hate crime, as defined in section sixteen of chapter twenty-two. The criminal justice training council shall include such instruction in all curricula for recruits and in-service trainees and in all police academies operated or certified by said council.

#### **Section 2.**

Chapter 22 of the General Laws is hereby amended by adding the following four sections:-

#### **Section 16.**

For the purposes of section 16 and 19, inclusive, the following words shall have the following meanings:- "Crime reporting unit", a joint project of the department of public safety and the criminal history systems board charged with the responsibility of collecting incident reports submitted by state, local and campus police departments and other law enforcement authorities and disseminating periodic reports analyzing and interpreting crime rates and trends in the commonwealth. "Hate crime", any criminal act coupled with overt actions motivated by bigotry and bias including, but not limited to, a threatened, attempted or completed overt act motivated at least in part, by racial, religious, ethnic, handicap, or sexual orientation prejudice, or which deprives another person of his constitutional rights by threats, intimidation or coercion, or which seeks to interfere with or disrupt a person's exercise of constitutional rights through harassment or intimidation. Hate crime shall also include, but not be limited to, acts that constitute violations of sections thirty-seven and thirty-nine of chapter two hundred and sixty-five, section one hundred and twenty-seven A of chapter two hundred and sixty-six and chapter two hundred and seventy-two. "Hate crime data", information, incident reports, records and statistics relating to hate crimes, collected by the crime reporting unit. "Incident report", an account of occurrence of a hate crime received or collected by the crime reporting unit.

## **Appendix C**

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### **Section 17.**

The Commissioner of public safety shall promulgate regulations relating to the collection of hate crime data.

Said regulations shall include, but not be limited to, the following:

(1) Establishment of a central repository for the collection and analysis of hate crime data and, upon the establishment of such repository, the crime reporting unit shall be responsible for collecting, analyzing, classifying and reporting such data, and shall retain this information in the central repository.

(2) Procedures necessary to ensure effective data-gathering and preservation and protection of confidential information, and the disclosures of information in accordance with section nineteen.

(3) Procedures for the solicitation and acceptance of reports regarding hate crime which are submitted to the crime reporting unit.

(4) Procedures for assessing the credibility and accuracy of reports of hate crime from law enforcement agencies.

### **Section 18.**

The crime reporting unit shall summarize and analyze reports of hate crime data it receives. Said unit shall transmit copies of such reports to the attorney general. The crime reporting unit shall also file an annual report regarding hate crime data with the governor, the attorney general, the joint committees on public safety, criminal justice and the judiciary, and the senate and house committees on ways and means. Such annual reports shall be public record.

### **Section 19.**

The reporting unit shall cause any hate crime data collected to be made available for use by any law enforcement agency and shall also be made available to any unit of local government, to any state agency and to the general public in a manner consistent with the requirements of section one hundred and sixty-seven and one hundred and sixty-eight of chapter six. Dissemination of such information shall be subject to all confidentiality requirements otherwise imposed by law.

## Minnesota

### Section 1. [626.5531][Reporting of crimes motivated by bias]

#### Subdivision 1. [Reports required]

A peace officer must report to the head of the officer's department every violation of chapter 609 or a local criminal ordinance if the officer has reason to believe that the offender was motivated to commit the act by the victim's race, religion, national origin, sex, age, disability, or characteristics identified as sexual orientation. The superintendent of the bureau of criminal apprehension shall adopt a reporting form to be used by law enforcement agencies in making the reports required under this section. The reports must include for each incident all of the following:

- (1) the date of the offense;
- (2) the location of the offense;
- (3) whether the target of the incident is a person, private property, or public property;
- (4) the crime committed;
- (5) the type of bias and information about the offender and the victim that is relevant to that bias;
- (6) any organized group involved in the incident;
- (7) the disposition of the case; and
- (8) any additional information the superintendent deems necessary for the acquisition of accurate and relevant data.

#### Subdivision 2. [Use of information collected]

The head of a local law enforcement agency or state law enforcement department that employs peace officers licensed under section 626.843 must file a monthly report describing crimes reported under this section with the department of public safety, bureau of criminal apprehension. The commissioner of public safety must summarize and analyze the information received and file an annual report with the department of human rights and the legislature. The commissioner may include information in the annual report concerning any additional criminal activity motivated by bias that is not covered by this section.

## **Appendix C**

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### **Sec. 2.[626.8451] [Training in identifying and responding to crimes motivated by bias]**

#### **Subdivision 1. [Training course]**

The board must prepare a training course to assist peace officers in identifying and responding to crimes motivated by the victim's race, religion, national origin, sex, age, disability, or characteristics identified as sexual orientation. The course must include material to help officers distinguish bias crimes from other crimes, to help officers in understanding and assisting victims of these crimes, and to ensure that bias crimes will be accurately reported as required under section 1. The course must be updated periodically as the board considers appropriate.

#### **Subdivision 2. [Preservice training requirement]**

An individual may not be licensed as a peace officer after August 1, 1990, unless the individual has received the training described in subdivision m 1.

#### **Subdivision 3. [In-service training; board requirements]**

The board must provide to chief law enforcement officers instructional materials patterned after the materials developed by the board under subdivision 1. These materials must meet board requirements for continuing education credit and be updated periodically as the board considers appropriate. The board must also seek funding for an educational conference to inform and sensitize chief law enforcement officers and other interested persons to the law enforcement issues associated with bias crimes. If funding is obtained, the board may sponsor the educational conference on its own or with other public or private entities.

**Subdivision 4. [In-service training; chief law enforcement officer requirements]** A chief law enforcement officer must inform all peace officers within the officer's agency of (1) the requirements of section 1, (2) the availability of the instructional materials provided by the board under subdivision 3, and (3) the availability of continuing education credit for the completion of these materials. The chief law enforcement officer must also encourage these peace officers to review or complete the materials.

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## New Jersey

### Executive directive No. 1987-3

WHEREAS, the State of New Jersey long has been concerned about the number of acts of violence and vandalism directed at the citizens of New Jersey because of their race, religion or ethnic origin; and

WHEREAS, the Attorney General of New Jersey, as Chief Law Enforcement Officer, has requested the entire law enforcement community of the State to vigorously investigate and prosecute such acts of bigotry; and

WHEREAS, offenses involving racial, ethnic and religious vandalism and harassment have a dramatic detrimental impact upon both the victim and the community; and

WHEREAS, presently no public agency maintains accurate statistics concerning bias incidents of a racial, religious or ethnic nature; and

WHEREAS, the availability of such important statistical information for review by the Attorney General, the Division of Criminal Justice and the Division of State Police, within the Department of Law and Public Safety, and the County Prosecutors will permit proper evaluation of progress in preventing bias crime and assist with necessary planning for the future,

WHEREAS, a broad based Ad Hoc Committee on Bias Incident Reporting was formed in March, 1987; and

WHEREAS, such Ad Hoc Committee met on numerous occasions during the months of April through July, 1987 and developed a resulting comprehensive but efficient statewide bias incident reporting system,

NOW, THEREFORE, I, W. Cary Edwards, Attorney General of New Jersey by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby DIRECT:

1. That pursuant to the provisions of *N.J.S.A. 52:17B-5.2*, the attached "Supplementary Bias Incident Offense Report" form and accompanying "Bias Incident Offense Report Guide" be utilized by the Division of State Police, within the Department of Law and Public Safety, to collect, gather, assemble, and collate information involving offenses which occur on or after January 1, 1988, to persons, private property, or public property on the basis of race, color, creed, ethnicity or religion.

2. All law enforcement agencies defined pursuant to the provisions of *N.J.A.C. 13:57-1.1* are hereby required to fully cooperate with the Division of State Police, Uniform Crime Reporting Unit, in properly completing and promptly forwarding the "Supplementary Bias Incident Offense Report" form by the seventh day after the close of each monthly reporting period.

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3. The Division of State Police, Uniform Crime Reporting Unit, shall take appropriate action to make sure that during September and October 1987 all Uniform Crime Reporting Contributors are trained in the proper completion of the "Supplementary Bias Incident Offense Report" form.

4. This Directive shall take effect immediately.



## **New York**

### **Executive Order**

#### **§ 837. Functions, powers and duties of division**

The division shall have the following functions, powers and duties:

1. Advise and assist the governor in developing policies, plans and programs for improving the coordination, administration and effectiveness of the criminal justice system;
2. Make recommendations to agencies in the criminal justice system for improving their administration and effectiveness;
3. Act as the official state planning agency pursuant to the federal acts; in accordance therewith, prepare, evaluate and revise statewide crime control and juvenile delinquency prevention and control plans; receive and disburse funds from the federal government, for and on behalf of the board; and perform all necessary and appropriate staff services required by the board.
4. In cooperation with the state administrator of the unified court system as well as any other public or private agency,
  - (a) through the central data facility collect, analyze, evaluate and disseminate statistical and other information and data; and
  - (b) undertake research, studies and analyses and act as a central repository, clearing-house and disseminator of research studies, in respect to criminal justice functions and any agency responsible for a criminal justice function, with specific attention to the effectiveness of existing programs and procedures for the efficient and just processing and disposition of criminal cases; and
  - (c) collect and analyze statistical and other information and data with respect to the number of crimes reported or known to police officers or peace officers, the number of persons arrested for the commission of offense, the offense for which the person was arrested, the county within which the arrest was made and the accusatory instrument filed, the disposition of the accusatory instrument including, but not limited to, as the case may be, dismissal, acquittal, the offense to which the defendant pled guilty, the offense the defendant was convicted of after trial, and the sentence.

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(d) supply data, upon request, to federal bureaus or departments engaged in collecting national criminal statistics.

(e) accomplish all of the functions, powers and duties set forth in paragraphs (a), (b), (c), and (d) of this subdivision with respect to the processing and disposition of cases involving violent felony offenses specified in subdivision one of section 70.02 of the penal law;

5. Conduct studies and analyses of the administration or operations of any criminal justice agency when requested by the head of such agency, and make the results thereof available for the benefit of such agency;

5a. Undertake to furnish or make available to the district attorneys of the state such supportive services and technical assistance as the commissioner and any one or more of the district attorneys shall agree are appropriate to promote the effective performance of his or their prosecutorial functions;

6. Establish, through electronic data processing and related procedures, a central data facility with a communication network serving qualified agencies anywhere in the state, so that they may, upon such terms and conditions as the commissioner, and the appropriate officials of such qualified agencies shall agree, contribute information and have access to information contained in the central data facility, which shall include but not be limited to such information as criminal record, personal appearance data, fingerprints, photographs, and handwriting samples;

7. Receive, process and file fingerprints, photographs and other descriptive data for the purpose of establishing identity and previous criminal record;

8. Adopt appropriate measures to assure the security and privacy of identification and information data;

8a. Charge a fee when, pursuant to statute or the regulations of the division, it conducts a search of its criminal history records and returns a report thereon in connection with an application for employment or for a license or permit. The division shall adopt and may, from time to time, amend a schedule of such fees which shall be in amounts determined by the division to be reasonably related to the cost of conducting such searches and returning reports thereon but, in no event, shall any such fee exceed fourteen dollars. Except as provided in section three hundred fifty-nine-e of the general business law, the fee shall be paid to the division by the applicant and shall accompany the applicant's fingerprint card or application form upon which the search request is predicated;

9. Accept, agree to accept and contract as agent of the state and for and on behalf of the board, with the approval of the governor, any grant, including federal grants, or any gift for any of the purposes of this article;

10. Accept, with the approval of the governor, as the agent of the state, any gift, grant, devise or bequest, whether conditional or unconditional (notwithstanding the provisions of section eleven of the state finance law), including federal grants, for any of the purposes of this article. Any monies so received may be expended by the division to effectuate any purpose of this article, subject to the same limitations as to approval of expenditures and audit as are prescribed for state monies appropriated for the purposes of this article;

11. Enter into contracts with any person, firm, corporation, municipality, or governmental agency;

12. Make an annual report to the governor and legislature concerning its work during the preceding year, and such further interim reports to the governor, or to the governor and legislature, as it shall deem advisable, or as shall be required by the governor;

13. Adopt, amend or rescind such rules and regulations as may be necessary or convenient to the performance of the functions, powers and duties of the division;

14. Do all other things necessary or convenient to carry out the functions, powers and duties expressly set forth in this article.

#### **§ 837-b. Duties of courts and peace officers**

1. It is hereby made the duty of the staff administrator of the unified court system; and of every sheriff, county or city commissioner of correction and head of every police department, state, county, or local and also railroad, steamship, park, aqueduct and tunnel police and town constables, of every district attorney, of every probation agency; and head of every institution or department, state, county and local, dealing with criminals and of every other officer, person or agency, dealing with crimes or criminals or with delinquency or delinquents, to transmit to the commissioner not later than the fifteenth day of each calendar month, or at such times as provided in the rules and regulations adopted by the commissioner, such information as may be necessary to enable him to comply with subdivision four of section eight hundred thirty-seven. Such reports shall be made upon forms which shall be supplied by the commissioner.

2. Such officers and agencies shall install and maintain records needed for reporting data required by the commissioner and shall give him or his accredited agents access to records for the purpose of inspection.

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3. For every neglect to comply with the requirements of this section, the commissioner may apply to the supreme court for an order directed to such person responsible requiring compliance. Upon such application the court may issue such order as may be just, and a failure to comply with the order of the court shall be a contempt of court and punishable as such.

## Oregon

### B-Engrossed Senate Bill 606

#### Summary

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Requires reporting of crimes motivated by prejudice based on perceived race, color, religion, national origin, [or] sexual orientation, **age, disability or certain status or affiliations** of victim. Requires Executive Department to provide annual report of statistics on incidence of such crimes. Requires all police officers to be trained to investigate, identify and report same.

#### A bill for an act

Relating to criminal procedure; creating new provisions; and amending OR § 181.550.

#### Be It Enacted by the People of the State of Oregon:

#### Section 1. OR § 181.550 is amended to read:

(1) All law enforcement agencies shall report to the Executive Department statistics concerning crimes:

(a) As directed by the Executive Department, for purposes of the Uniform Crime Reporting System of the Federal Bureau of Investigation; [and]

(b) As otherwise directed by the Governor concerning general criminal categories of criminal activities but not individual criminal records; **and** [.]

(c) **Motivated by prejudice based on the perceived race, color, religion, national origin, sexual orientation, marital status, political affiliation or beliefs, membership or activity in or on behalf of a labor organization or against a labor organization, physical or mental handicap, age, economic or social status or citizenship of the victim.**

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(2) The Executive Department shall prepare:

(a) Quarterly and annual reports for the use of agencies reporting under subsection (1) of this section, and others having an interest therein; *[and]*

(b) **An annual public report of the statistics on the incidence of crime motivated by prejudice based on the perceived race, color, religion, national origin, sexual orientation, marital status, political affiliation or beliefs, membership or activity in or on behalf of a labor organization or against a labor organization, physical or mental handicap, age, economic or social status or citizenship of the victim; and *[(b)]***

(c) Special reports as directed by the Governor.

**Section 2.** Section 3 of this Act is added to and made a part of ORS chapter 181.

**Section 3.** The Board on Police Standards and Training shall insure that all police officers are trained to investigate, identify and report crimes motivated by prejudice based on the perceived race, color, religion, national origin, sexual orientation, marital status, political affiliation or beliefs, membership or activity in or on behalf of a labor organization or against a labor organization, physical or mental handicap, age, economic or social status or citizenship of the victim.

Note: For Oregon, matter in **bold face** in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.

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## Pennsylvania

House Bill No. 1337 Session of 1985

An Act

Amending the Act of April 9, 1929 (P.L. 177, No. 175), entitled:

"An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards, and commissions shall be determined," establishing a system of information for the Pennsylvania State Police regarding crimes resulting from intergroup tensions.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

### Section 1.

Section 710 of the act of April 9, 1929 (P.L. 177, No. 175), known as The administrative Code of 1929, amended April 28, 1943 (P.L. 94, No. 52) and June 25, 1947 (P.L. 935, No. 390), is amended to read:

### Section 710.

Pennsylvania State Police. - The Pennsylvania State police shall have the power and its duty shall be:

(a) Subject to any inconsistent provisions in this act contained, to continue to exercise the powers and perform the duties by law vested in and imposed upon the department of State Police, the Pennsylvania State Police, the State Highway Patrol, and the Pennsylvania Motor Police;

(b) To assist the Governor in the administration and enforcement of the laws of the Commonwealth, in such manner, at such times, and in such places, as the Governor may from time to time request;

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(c) With the approval of the Governor, to assist any administrative department, board, or commission, of the State Government, to enforce the laws applicable or appertaining to such department, board, or commission, or any organization thereof;

(d) Whenever possible, to cooperate with counties and municipalities in the detection of crime, the apprehension of criminals, and the preservation of law and order throughout the State;

(e) To aid in the enforcement of all laws relating to game, fish, forest, and waters;

(f) To collect and classify, and keep at all times available, complete information useful for the detection of crime, and the identification and apprehension of criminals. Such information shall be available for all police officers within the Commonwealth, under such regulations as the Commissioner of Pennsylvania State Police may prescribe;

(g) To enforce the laws regulating the use of the highways of this Commonwealth, and to assist the Department of Transportation and the Department of Revenue in the collection of motor license fees, fees for titling vehicles and tractors, operators' license fees, the tax on cigarettes, and the tax on liquid fuels, and the issuance of certificates of title and motor and operators' licenses;

(h) To search without warrant, any boat, conveyance, vehicle or receptacle, or any place of business when there is good reason to believe that any law has been violated, the enforcement or administration of which is imposed or vested in the Department of Revenue;

(i) To collect information relating to crimes and incidents related to the race, color, religion, or national origin of individuals or groups, which shall be reported monthly by all local law enforcement agencies and the State fire marshal. Any information, records and statistics collected in accordance with this subsection shall be available for use by any agency required to furnish information, to the extent that such information is reasonably necessary or useful to such agency in carrying out the duties imposed on it by law. The Commissioner of the Pennsylvania State Police may, by regulation, establish such conditions for the use or availability of such information as may be necessary to its preservation, the protection of confidential information, or the circumstances of a pending prosecution.

### Section 2.

This amendatory act shall be known as the Ethnic Intimidation Statistics Collection Act.

### Section 3.

This act shall take effect January 1, 1987.



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## Rhode Island

### **42-28-46. Development of system monitoring crimes motivated by bigotry and bias.--**

The state police shall, by January 1, 1989, develop a system monitoring the occurrence of crimes committed in the state which the evidence of the offense demonstrates was motivated by racial, religious, or ethnic bigotry or bias. All police departments within the state shall report monthly the occurrence of such crimes to the state police. The state police shall maintain a permanent record of these offenses categorized by community of occurrence, type of offense, target of offense, and such other information as the department deems relevant. The department shall develop a plan for the collection, analysis, and dissemination of the data regarding such crimes.

**History of Section.P.L. 1988, ch. 249, § 1.**

#### **88 -- H 8788 Substitute A**

An Act Relating to the State Police Monitoring Crimes Motivated by Bigotry and Bias

Introduced by: Representatives Intergroup, Levin and Friedemann

Date introduced: March 2, 1988

Referred to: House Committee on Judiciary

It is enacted by the General Assembly as follows:

#### **Section 1.**

Section 42-28-46 of the General Laws in Chapter 42-28 entitled "State Police" is hereby amended to read as follows:

### **42-28-46. Development of system monitoring crimes motivated by bigotry and bias.**

The state police shall, by January 1, 1989, develop a system monitoring the occurrence of crimes committed in the state which the evidence of the offense demonstrates was motivated by racial, religious, or ethnic bigotry or bias. All police departments within the state shall report monthly the occurrence of such crimes to the state police. The state police shall maintain a permanent record of such offenses categorized by community of occurrence, type of offense, target of offense and such other information as the department deems relevant. The department shall develop a plan for the collection, analysis, and dissemination of the data regarding such crimes.

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### Virginia

#### Chapter 492

*An Act to amend the Code of Virginia by adding a section numbered 8.01-42.1, relating to civil actions for racial, religious or ethnic harassment, violence or vandalism.*

[H 325]

Approved April 3, 1988

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 8.01- 42.1 as follows:

**§ 8.01-42.1. Civil action for racial, religious, or ethnic harassment, violence or vandalism.**

A. An action for injunctive relief or civil damages, or both, shall lie for any person who is subjected to acts of (i) intimidation or harassment or (ii) violence directed against his person; or (iii) vandalism directed against his real or personal property, where such acts are motivated by racial, religious, or ethnic animosity.

B. Any aggrieved party who initiates and prevails in an action authorized by this section shall be entitled to damages, including punitive damages, and in the discretion of the court to an award of the cost of the litigation and reasonable attorneys' fees in an amount to be fixed by the court.

C. The provisions of this section shall not apply to any actions between an employee and his employer, or between or among employees of the same employer, for damages arising out of incidents in the work place or arising out of the employee-employer relationship.

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### Sources of information for responding to hate crimes

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Each organization listed below was requested to furnish the FBI with a statement that would clearly and accurately describe its mission and the type of resources it could extend to both law enforcement in particular and to the community in general.

#### **American-Arab Anti-Discrimination Committee**

Suite 500  
4201 Connecticut Avenue, NW  
Washington, D.C. 20008  
202/244-2990  
202/244-3196 (fax)

The American-Arab Anti-Discrimination Committee (ADC) is a nonsectarian, nonpartisan service organization committed to defending the rights and promoting the heritage of Arab-Americans. ADC offers advocacy in cases of defamation, legal action in cases of discrimination, and counseling in matters of immigration. ADC has published a series of reports on anti-Arab hate crimes.

#### **American Citizens for Justice, Inc.**

Suite 108  
15777 W. Ten Mile Road  
Southfield, MI 48075  
313/557-2772

The American Citizens for Justice, Inc. seeks to eradicate racism, harassment, and discrimination against Asian Pacific Americans and other minority and ethnic groups through legal consultation, monitoring anti-Asian violence, advocacy, community education, and the Vincent Chin Justice scholarship.

#### **American Jewish Committee**

1156 15th Street, NW  
Washington, D.C. 20005  
202/265-2000  
202/785-4115 (fax)

The American Jewish Committee (AJC) is an organization which was created to protect the rights of Jews the world over and to combat bigotry and anti-Semitism. The AJC has published *Skinheads: Who They Are & What to Do When They Come to Town* and *Bigotry on Campus: A Planned Response*.

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### **American Psychological Association**

750 First Street, NE  
Washington, D.C. 20002-4242  
202/336-6062  
202/336-6063 (fax)

The American Psychological Association is the Nation's largest organization of psychologists in both academic and service delivery settings. Psychologists are an important resource for information about the biases which motivate hate crimes. Assistance and services to individuals suffering the adverse mental health consequences of prejudice and hate-motivated violence are also offered by psychologists. Skilled psychologists also conduct law enforcement training focusing on understanding the causes and effects of hate-related criminal behavior.

### **Anti-Defamation League**

823 United Nations Plaza  
New York, NY 10017  
212/490-2525  
212/867-0779 (fax)

The Anti-Defamation League (ADL) is a human relations organization with 31 regional offices across the country. ADL is dedicated to promoting intergroup cooperation and interfaith understanding. Over the past decade, ADL has become a leading resource in crafting responses to hate violence, including model hate crime legislation, a 17-minute hate crime training video, a handbook of existing hate crime policies and procedures at both large and small police departments, and a general human relations training program for law enforcement designed to examine the impact of discrimination, while promoting better cultural awareness and increased appreciation for diversity.

**Asian Pacific American Legal Center  
of Southern California**

Suite 302  
1010 South Flower Street  
Los Angeles, CA 90015-1428  
213/748-2022  
213/748-0679 (fax)

The Asian Pacific American Legal Center (APALC) is working with the city of Los Angeles to improve its response to crimes of hate violence. Through the Los Angeles City Human Relations Commission, APALC has participated in the implementation of the Hate Violence Monitoring Order of the Los Angeles Police Department. The program will streamline the tracking of hate violence and will train officers who will be assigned to investigate and properly follow up on hate violence cases.

**Cambodian Network Council**

713 D Street, SE  
Washington, D.C. 20003  
202/546-9144  
202/546-9147 (fax)

The Cambodian Network Council was organized to serve and educate refugees on their rights in America. Educational programs, refugee funding, and community empowerment are its basic functions. Some of the Council's affiliates address hate crimes.

**Center for Democratic Renewal**

P.O. Box 50469  
Atlanta, GA 30302  
404/221-0025  
404/221-0045 (fax)

The Center for Democratic Renewal (CDR) is a national clearinghouse of information on the white supremacist movement. CDR provides training to law enforcement agencies, schools, churches, and community organizations. Over 40 publications are available, including the resource manual, *When Hate Groups Come to Town*, and the bimonthly newsletter, *The Monitor*.

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### **Committee Against Anti-Asian Violence**

191 East 3rd Street  
New York, NY 10009  
212/473-6485  
212/473-5569 (fax)

The Committee Against Anti-Asian Violence (CAA AV) was founded in 1986 to organize Asian communities in the New York City area to combat racist violence. Through community education and organizing efforts, CAA AV strives to develop leadership within the Asian communities to speak out and effect change in public policies.

### **Japanese American Citizens League**

1765 Sutter Street  
San Francisco, CA 94115  
415/921-5225  
415/931-4671 (fax)

The Japanese American Citizens League (JACL) is a national nonprofit, educational, human and civil rights organization representing Americans of Japanese ancestry. JACL is headquartered in San Francisco and has 113 chapters, 5 regional offices, and an advocacy office in Washington, D.C. JACL monitors incidents of anti-Asian violence, provides assistance in specific cases, offers a handbook on responding to anti-Asian violence, and participates in seminars on hate crimes.

### **Justice Research and Statistics Association**

Suite 445  
444 N. Capitol Street, NW  
Washington, D.C. 20001  
202/624-8560  
202/624-5269 (fax)

The Justice Research and Statistics Association, formerly the Criminal Justice Statistics Association, is a national non-profit organization of state Statistical Analysis Center directors and other justice system professionals who use or conduct research to support public policy development. JRSA provides a clearinghouse of information on criminal justice issues and projects being carried out in the states, including hate crimes; training in the latest computer technology for records management, data analysis, and for forecasting criminal justice populations; and reports on the latest research being conducted by local, state, and Federal agencies.

**Klanwatch Southern Poverty Law Center**

400 Washington Avenue  
Montgomery, AL 36104  
205/264-0286  
205/264-0629 (fax)

Klanwatch, a project of the Southern Poverty Law Center, monitors hate crimes and hate groups throughout the Nation. Klanwatch publishes *The Intelligence Report*, a bimonthly review of hate crimes and activities of white supremacist groups for law enforcement officials, and provides training for law enforcement agencies and seminars for community organizations.

**Los Angeles County Human Relations Commission**

Room 1184  
320 West Temple  
Los Angeles, CA 90012  
213/974-7611  
213/687-4251 (fax)

The Los Angeles County Human Relations Commission is one of the oldest and largest Human Relations Commissions. The Commission addresses hate crimes by responding directly to them, disseminating information to law enforcement agencies, the media, community-based and governmental organizations, supporting efforts on hate crime reporting, and helping to produce a Hate Crime Victims' Rights video. Hate crimes are surveyed in Los Angeles county schools and hate crime statistics are gathered and combined into a yearly report to the Board of Supervisors.

**Mexican American Legal Defense and Educational Fund**

Suite 920  
733 15th Street, NW  
Washington, D.C. 20005  
202/628-4074  
202/393-4206 (fax)

The Mexican American Legal Defense and Educational Fund (MALDEF) is a national civil rights organization founded in 1968 to promote and protect civil rights, and specifically, to conduct litigation and advocacy work on behalf of Hispanic Americans. MALDEF primarily focuses on Hispanic immigration issues. Its national headquarters is located in Los Angeles; regional offices are in San Francisco, San Diego, Chicago, and Washington, D.C.

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### **National Association for the Advancement of Colored People**

4805 Mount Hope Drive  
Baltimore, MD 21215  
410/358-8900  
410/764-7357 (fax)

The National Association for the Advancement of Colored People (NAACP) was formed in 1909 in New York City. The Association has grown to over 2,200 chapters nationwide, including branches in Germany and Japan, and has over 500,000 members. The principal objective of the NAACP is to ensure the political, educational, social, and economic equality of minority group citizens among the citizens of the United States. The NAACP is committed to achievement through nonviolence and relies upon the press, the petition, the ballot, and the courts.

### **National Conference of Christians and Jews**

Suite 1100  
71 Fifth Avenue  
New York, NY 10003  
212/807-8440  
212/255-6177 (fax)

The National Conference of Christians and Jews (NCCJ) was founded in 1927 to combat racism and religious bigotry, to improve communications between different American communities, and to "build bridges of mutual respect." NCCJ uses a combination of methods to achieve its goals including: education, leadership, professional intervention with trained human relations specialists, group meetings, and group dialogues.

### **National Gay & Lesbian Task Force**

1734 14th Street, NW  
Washington, D.C. 20009-4309  
202/332-6483  
202/332-0207 (fax)

The National Gay & Lesbian Task Force (NGLTF) is a civil rights organization dedicated to building a movement to promote freedom and full equality for all lesbians and gay men. Its Anti-Violence Project was initiated in 1982 to promote an appropriate official response to anti-gay violence and assist local communities in organizing against prejudice and violence. NGLTF reports annually on anti-gay/lesbian violence, victimization, and defamation.



**National Immigration, Refugee and Citizenship Forum**

Suite 220

220 I Street, NE

Washington, D.C. 20002

202/544-0004

202/544-1905 (fax)

The Forum is a membership organization which focuses on immigration policy and coordinates appeals to the Immigration and Naturalization Service. Membership includes ethnic members, labor unions, state and local governmental agencies, and local coalitions. The Forum recently created a Task Force on Race and Ethnic Relations.

**National Institute Against Prejudice and Violence**

31 S. Greene Street

Baltimore, MD 21201

410/328-5170

410/328-7551 (fax)

The National Institute Against Prejudice and Violence (NIAPV) conducts research on the causes of ethnoviolence and its effect on victims and communities. It also provides education programs and consultation, including human relations training, seminars and conferences, and legislative advocacy and legal analysis. Other NIAPV activities include a clearinghouse on ethnoviolence.

**National Organization of Black Law Enforcement Executives**

908 Pennsylvania Avenue, SE

Washington, D.C. 20003

202/546-8811

202/544-8351 (fax)

The National Organization of Black Law Enforcement Executives provides training for law enforcement executives to improve their response to bias violence, conducts research on law enforcement practices and policies, and works with other victim assistance organizations.

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### **National Urban League**

Suite 600  
1111 14th Street, NW  
Washington, D.C. 20005  
202/898-1604  
202/682-0782 (fax)

The National Urban League is a nonprofit, nonpartisan community-based agency headquartered in New York City with 113 affiliates in 34 states and the District of Columbia. Its Research Department, located in Washington, D.C., recently conducted a study entitled "Interracial Violence and Community Conflict: A Study in Symbolic and Competitive Racism." This study had the main objective of analyzing the interrelationships among socioeconomic and demographic characteristics and the incidence of interracial violence and conflict.

### **Organization of Chinese Americans**

Suite 707  
1001 Connecticut Avenue, NW  
Washington, D.C. 20036  
202/223-5500  
202/296-0540 (fax)

The Organization of Chinese Americans (OCA) is a national nonprofit, nonpartisan civic organization advocating for the welfare of Chinese Americans. OCA has an internal task force on anti-Asian violence. It monitors court cases and is involved with specific cases by acting as legal counsel and providing financial resources. OCA materials include a quarterly newsletter, which offers updates on cases, and a new major publication on hate crimes.

### **People For the American Way**

Suite 400  
2000 M Street, NW  
Washington, D.C. 20036  
202/467-4999  
202/293-2672 (fax)

People For the American Way (People For) is a nonprofit, nonpartisan organization dedicated to the defense of constitutional liberties. Through its work on hate crimes, censorship and civil rights, People For works to combat intolerance in America. Publications include *Hate in the Ivory Tower*, a report on hate crimes and incidents on college campuses, and *Democracy's Next Generation II* on youth attitudes on race.

**Police Executive Research Forum**

Suite 910

2300 M Street, NW

Washington, D.C. 20037

202/466-7820

202/466-7826 (fax)

The Police Executive Research Forum (PERF) is a national association of progressive police executives from large- and medium-sized jurisdictions dedicated to improving police services. PERF has been a leading law enforcement advocate of hate crime data collection since 1987, when it became one of the first national police associations to endorse the Hate Crime Statistics Act. In an effort to help promote understanding and reduce tensions between persons of different races, religions, ethnicities, and sexual orientations, PERF offers a cultural differences training curriculum for law enforcement officials.



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